

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

VOLUME II

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and

SPECIAL SESSION

JAN. 6 - JAN. 17, 1964

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, June 11, 1963.

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

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

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that the Committees be directed to complete their work and file their final reports no later than Thursday, June 13th (S. P. 620)

Came from the Senate read and passed.

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

Tabled

From the Senate: The following Order:

ORDERED, the House concurring, that the Department of Finance and Administration, through the Bureau of Taxation, is directed to study the gross receipts tax now in operation in other States, and report to the Legislative Research Committee, before October 1, 1964, as to the feasibility of imposing a state gross receipts tax in Maine; and be it further

ORDERED, that the Legislative Research Committee transmit the report with such recommendations as it may wish to make to the 102nd Legislature (S. P. 621)

Came from the Senate read and passed.

In the House, the Order was read.

(On motion of Mr. Wellman of Bangor, tabled pending passage in concurrence and unassigned.)

Senate Reports of Committees Ought to Pass with Committee Amendment Tabled and Assigned

Report of the Committee on Judiciary on Bill "An Act Amending Certain Statutes to Conform

to the District Court Law" (S. P. 150) (L. D. 581) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read.

(On motion of Mr. Hutchins of Kingfield, tabled pending acceptance of the Committee Report and specially assigned for tomorrow.)

Passed to be Engrossed Third Reader Amended

Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1964 and June 30, 1965" (H. P. 1105) (L. D. 1586)

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

Mr. Brewer of Bath offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1105, L. D. 1586, Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1964 and June 30, 1965."

Amend said Bill in section 1, under the caption "FINANCE AND ADMINISTRATION, DEPARTMENT OF", by striking out all of the paragraph entitled "Public Improvements", as follows:

"Public Improvements
 Property Management
 All Other 6,175 ———
 Funds to phase
 out Military and
 Naval Children's
 Home"

Further amend said Bill in section 1, under the caption "MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF", by striking out from the paragraph

entitled "Military and Naval Children's Home" the lines:

'Personal Services	\$ 1,500	\$ —
All Other	1,000	—
Additional funds to phase out the Home" and inserting in place thereof the lines:		
'Personal Services	(13) \$52,049	(13) \$54,300
All Other	18,381	18,418
Capital Expenditures	750	500
Provides funds to continue operation of Military and Naval Children's Home'		

Further amend said Bill by correcting the totals therein affected by the adoption of this amendment.

FURTHER amend said Bill by adding at the end thereof the following sections:

"Sec. 4. P. & S.L., 1963, c. 168, Sec. 1, amended. That part of section 1 of chapter 168 of the private and special laws of 1963, as heretofore passed by this Legislature, which relates to the Military and Naval Children's Home, under the caption, MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF, is repealed as follows:

'Military and Naval Children's Home		
Personal Services	2,500	—
All Other	1,250	—

Sec. 5. P. & S.L., 1963, c. 168, Sec. 1, amended. That part of section 1 of chapter 168 of the private and special laws of 1963, as heretofore passed by this Legislature, which relates to the total appropriations for institutions and total appropriation for the Department of Mental Health and Corrections, under the caption MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF", are amended to read as follows:

'Total Institutions	11,396,056	11,392,306	11,629,225
Total Mental Health and Corrections	12,035,625	12,032,075	12,285,632'

Sec. 6. P. & S.L., 1963, c. 168, Sec. 1, amended. That part of section 1 of chapter 168 of the private and special laws of 1963 which relates to "Total—All Appropriations" and the last paragraph, as heretofore passed by this Legislature, are amended to read as follows:

'Total—All Appropriations	\$70,-559,640	\$70,555,890	\$72,674,068
Amounting to	\$70,559,640	\$70,-555,890	for the fiscal year ending June 30, 1964 and \$72,674,068 for the fiscal year ending June 30, 1963.'

Sec. 7. R. S., c. 27, §1, amended. The first paragraph of section 1 of chapter 27 of the Revised Statutes, as last amended by section 2 of the private and special laws of 1963, chapter 168, is further amended to read as follows:

'The Department of Mental Health and Corrections, as heretofore established, hereinafter in this chapter called the "department," shall have general supervision, management and control of the research and planning, grounds, buildings and property, officers and employees, and patients and inmates of all of the following state institutions: The hospitals for the mentally ill, Pineland Hospital and Training Center, the State Prison, the Reformatories for Men and Women, the juvenile institutions, the Governor Baxter State School for the Deaf, the Military and Naval Children's Home and such other charitable and correctional state institutions as may be created from time to time. All orders of commitment, medical and administrative records in the department are held to be confidential. Such records may be subpoenaed by a court of record.'

Sec. 8. R. S., c. 27, §§166-167, additional. Chapter 27 of the Revised Statutes is amended by adding 2 new sections, to be numbered 166 and 167, to read as follows:

'Bath Military and Naval Children's Home.

Sec. 166. Bath Military and Naval Children's Home declared a state institution; purposes; board and care. The State Military and Naval Children's Home, established as the Bath Military and Naval Orphan Asylum at Bath by chap-

ter 163 of the private and special laws of 1866, is declared to be a state institution, the purpose of which is the rearing and educating, in the common branches of learning and ordinary industrial pursuits of the poor and neglected children of this State, preference being given to the children of soldiers and sailors of Maine who have served in the various wars in which the United States has engaged.

The relatives of any such child liable by law for his support shall pay to the State for board and care of such child the amount determined by the department. The department may, after proper investigation of the financial circumstances of such relative, if it finds that such relative is unable to pay the amount determined, in whole or in part, waive such payment or so much thereof as the circumstances appear to warrant. All income from this source shall be paid to the Treasurer of State and shall be credited to the General Fund.

Sec. 167. Guardianship. The department shall have charge of the affairs of said home. Its head shall be called the superintendent. The commissioner and the superintendent shall act as a board of guardians of all the children who are members of said home and shall have all the power and authority granted by law to guardians.’ ”

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

Mr. BREWER: Mr. Speaker, Ladies and Gentlemen of the House: This amendment to provide funds for the Children's Home in Bath is identical to the one I submitted during the debate on the Current Services Budget. We are not debating today a new service or a new institution, but the maintaining of an institution which down through the years has provided outstanding service to the state through proper group care of a great number of unfortunate children. The arguments both for and against continuing this operation will no doubt be pretty much the same, the same as during the heated and emotional Current Services debate.

However, today I would hope that we would give this amendment a sober, unemotional, and a realistic appraisal as to what our state will gain from a monetary viewpoint by the closing, or what the state will continue to gain in relation to human values by keeping this Home open. The Children's Home is open and available to social workers and the courts seven days a week and twenty-four hours a day, and is not specifically for Bath children, but referrals come from a wide area. We feel that the Home should be utilized to its capacity which would bring the per capita costs within reason and in line with private group care homes of this kind.

Now a case in point relative to the Home being open twenty-four hours a day. Just recently in a town near Bath a young boy was picked up in the middle of the night by the police, a runaway child from a foster home. This was the second time he had done this. What to do with the child? They called the social worker and he was taken to the Children's Home pending a decision as to what to do with him. Apparently he couldn't adjust to a foster home, and there are many children that cannot adjust to a foster home. It was decided to keep him there and see if he could be adjusted. He was placed in school. I saw him recently and he's happy, well adjusted, and doing well in school.

Recently in the Portland Press Herald under the editorial page, they were referring to the "lid blowing off" at the Boys' Training Center at South Portland, being overcrowded; and then they go on to say that there were two boys age fifteen and sixteen that ran away from the Center, and they had been committed there — they were both state wards, and they had been committed there because they were runaway children from foster homes. Now I wonder whether that was all they did or whether the State of Maine made criminals out of these children by placing them in a correctional institution instead of trying to analyze their troubles.

The Home, over the years, has turned out outstanding citizens, boys

and girls that have gone on to college, become teachers, lawyers. Six years ago in Bath I was Chairman of the School Board, never intending to be a legislator, and it seems strange today that I should be here defending this Home, because at a School Board meeting six years ago I was defending a boy from this institution, a boy that was a problem, a problem in school. It got to the point where the School Board wanted to take him out of school. Now this boy was one of a family that was taken into the Home fifteen or sixteen years ago from a town outside of Bangor, alcoholic parents. The older brother had his feet placed on the ground all the way. The younger brother, as I said, was a problem. We refused to take the boy out of school. The school officials worked with him, the Home worked with him, the brother worked with him; and I said at the time, six years ago, that it would be the happiest day of my life when I saw that boy graduate from high school. That he did. He was married shortly after leaving high school, had a child, decided to go to college; and he is graduating this year from one of our teachers colleges, and he is going to teach in the State of Maine, and he is going to be an excellent teacher.

Now the older brother, who had his feet placed on the ground all the way and who had a lot of influence in the eventual straightening out of his brother, is graduating from law school this year. That's why I say it seems strange that I should be here debating the maintaining of this Home. And that point that I was bringing out points up the fact that it keeps family groups together and it helps out in the eventual bringing up of an individual child.

Now, here is a Home where the superintendent and the workers there take an interest in the children referred to them for schools and religion. They go to Sunday school. The older ones go to church, and they go to the church of their choice or their parents.

I would hope that you would give this amendment serious consideration this morning. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker and Members of the House: We must concentrate on the conservation and development of youth. This Home at Bath serves just this program. Now if we close this Home, many of these children will be turned back to a situation of neglect from whence they came. There is no program at this time for placement of these children, and the situation makes it so that they will have to go back to the parents that neglected them. Then the court will have to decide whether or not the children are being neglected again. Who knows what will happen to them in the meantime? After the courts decide, possibly the children will be put under the care of the Health and Welfare Department. The Health and Welfare Department is already overburdened with child care cases.

Now I have a case history of each of the children in the Home to verify what I have just said about neglect. There are many cases where there are several children from one family placed in this Home. Now the Home serves the useful purpose of keeping the children together. Along with this report with the case history of each of the children — I won't go on to read the complete report, but it ends up saying, "I could cite many kinds of situations for which I have found the Home valuable, but one of the most important has to do with the child who has moved from foster home to foster home and can no longer accept a new set of parents. In situations of emergency this Home has no equal. On very short notice, I have been able to place children who have run away from foster homes. I have also made use of facilities for children suddenly committed into care, until an appropriate plan can be made. To me the name Military and Naval Children's Home is not an institution but a Home which gives real service to children." And this statement came from the Health and Welfare Department, and I hope that you will accept the amendment

proposed by the gentleman from Bath, Mr. Brewer.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: I approve of everything that has been said by the gentleman from Bath, because this question has been before the Legislature before and, I as a member of the Health and Welfare Committee, I have made an investigation there and been in touch with them ever since. This is a home, and I only wish there could be more of them. Now, there is just one thing against this setup and that is they do not have enough in there; but I was talking to the Commissioner of Health and Welfare this morning, I talked to his Deputy, and they have plenty of children to go there, and they would be very happy if it went along; but this is a legislative matter, and so they wouldn't voice any opinion either one way or the other. But this is a matter whereby what we are going to do, are we going to weigh the success of a child's life against a few dollars? Now, that's just what it comes down to.

Now, that home could take care of thirty-nine or forty children. It has been operated, and that is about what the Appropriations Committee has looked at, the price, because they have not had enough in it, about twenty-six or twenty-seven.

Now, in reference to foster homes, I have made it my business over the years to keep in touch with them. Now of course they don't pay too much in the foster homes, so they don't get the best homes. I don't mean to say they are all bad. I don't mean to say any of them are bad, but at the price they pay, why you just can't get children placed in foster homes in quite as good a home as you'd want. And a great many of them don't have a chance to go to Sunday school, they don't have a chance to attend church, and they are taken by people who need the money, and it would be much better — I would like to see a half a dozen of these homes

placed over the state, and the children taken out of the foster homes, and where they could have a real chance.

From what the gentleman from Bath has told you, you can see what has been done. These youngsters have really made a mark and done something for the State of Maine as well as for themselves. I might mention some youngster from my area that was sent over to the Boys' Training Center there. Now the influence there is too—much, much different than it is in this Home in Bath. I remember a couple of them broke out, and since they come from one of the towns that I represent, they were rather sore on that town so they stole a car, a brand new one; they broke into a store and got a case of beer, and they come up to the town and there's a campground there, and this was early in the spring. They went down in there and they did about \$5,000 worth of damage and broke windows out and just raised the dickens. They got stuck with this new car, and so they got mad and they got hold of an axe somewhere and they drove it right down through the hood and through the radiator.

Now if they were boys that had been sent probably to a Home like the Military Home there in Bath, why they never would have done that; and I guess perhaps one of them has wound up in State's Prison. So what we are considering here today is what is best for these children who through neglect of their parents, or because of alcohol of the parents, have broken homes. Are we going to abandon them or are we going to try to make citizens out of them like Bath Military School is making of them? I trust that you will consider this deeply, and vote as your conscience dictates.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Drake.

Mr. DRAKE: Mr. Speaker and Ladies and Gentlemen of the House: I hope that you will give serious consideration to the amendment which has been presented by my friend and colleague from Bath, Mr. Brewer.

I think I'd like to make one major point, first among the reasons why I hope that you will all agree with us that the Home should remain open; and that is that we are talking about one-tenth of one percent of the budgets which you and I will be approving before we finally adjourn. Yes, we are now about to decide on continued allocation of \$150,000 for two years out of a combined budget of \$150,000,000. Consider this well and long, one-tenth of one percent of the total budget picture for the next two years.

My second point involves the makeup of those children who are now at the Military-Naval Home. No one argues but that these are fine youngsters. No one contends anything but that they are receiving the best of care, the finest of home atmosphere, the most intensive character moulding possible outside of what we all know as a true home upbringing.

I, too, could review for you the history of graduate after graduate of this Home, point out that they include West Pointers with impressive records, teachers, lawyers, homemakers, clergymen. In fact, they are today writing highly creditable records in business, in commerce, and the military. These records which reflect so highly on the Home and on the State of Maine.

Without dwelling on the point I know, as do so many, of the intense loyalty of the Home's alumni, as strong, as deserving a sense of loyalty as can be found among the graduates of any school or college in the entire country. The alumni are proud to acknowledge that they attended the Military-Naval Home.

Let me turn to a point which I consider as powerful an argument against killing this activity as any that can be propounded. I am referring to what would happen to these children if the Home is closed. They would be farmed out to foster homes, under the jurisdiction of the Department of Health and Welfare, farmed out to foster homes with brothers and sisters separated when foster homes could not be found to ac-

commodate them together. Broken away from the planned supervision of a house mother and house father and shunted into strange rooms and surroundings of foster homes that admittedly will be difficult to find.

My friends, the Health and Welfare Department itself will admit that the amount of funds available to make payments to foster homes are so inadequate that they cannot provide, let alone guarantee, good foster homes for the state wards now for which the department is responsible. When such places cannot be found now, how can we sit here and blithely add to the list by killing an activity that is doing a wonderful job with its children, a fact that no one denies or refutes.

I could add another point for those of you who are interested in keeping close watch on budget figures, and it is this, I wager, yes, I predict, that with the advent of the closing of this Home and the transfer of these children to foster homes, that the final cost will increase, will climb and you will face this fact two years hence. How can I say this? Because it is entirely possible that some of these children will become involved in the ADC program that so many of you know should be studied and changed for many reasons. If foster homes fail to do the job, as I contend they will, a return to broken homes in some cases will be inevitable, and then comes the ADC.

Maine, as a state, ladies and gentlemen, already has reaped a harvest of wonderful, top-notch citizens from among the graduates of this Home. I don't want to gamble on the future of the children now in the Home, or those who might be added to its rolls in the future, by saying to myself, or to the people of Bath, or to the citizens of my state, that I am going to save one-tenth of one percent of the budget by closing this warm haven for orphans of our veterans, or the brothers and sisters who come from badly broken homes.

These children, as has been the case of those who have graduated from the Home over the past nine-

ty-seven years, have no control over the future of their Home. But, you and I do. I urge you with all the persuasion at my command to support Mr. Brewer's amendment. I believe with all my heart that we cannot do less, and I pray that you agree. Thank you.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I had the good fortune to visit the Bath Home and I was very much impressed by it. What has been said about brothers and sisters there is certainly true, and there are also twins there. If this Home is closed, it means separating these children, brothers and sisters and twins, and putting them in foster homes. I may be economy minded, but not at the expense of breaking little children's hearts. I certainly shall go along with Mr. Brewer on the amendment.

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

Mrs. SMITH: Mr. Speaker and Members of the House: I only arise to defend the position of the Appropriations Committee. The position of the Appropriations Committee has not changed. The arguments against the closing of this Home are no more valid than they were when we discussed them several weeks ago. If this is a good program for thirty and the maximum they are saying this morning of forty children, then what about the hundreds who are in foster homes? Certainly, this Legislature has been very derelict in taking care of those children. Now we speak about jurisdiction, about these children now coming under the jurisdiction of the Health and Welfare. Perhaps we should ask ourselves this question as to whether they should be under the jurisdiction of the Department of Health and Welfare. As of now, these children, as I understand it and I know of one case at least, where they are in the Home for quite a while and decide to go back to a home from which possibly some night the police will have to again remove them and take them to the Home. Perhaps

they should be under the jurisdiction of Health and Welfare. Perhaps the Home should be. I don't know.

Now if foster homes are so bad, we have many of them. We say this is one tenth of one per cent of the budget, but it is still one tenth of one per cent of the budget. And with these percentages, we build the budget and again, I say to you, what about the other children? Someone else has commented that we should have a half dozen homes like these. I pointed out to you yesterday that with all of us, it is a matter of how will we spend what money we have? You may have one idea of how it should be spent, and I may have another. But I would suggest that you might contemplate what a half dozen homes like this might cost you.

Now in respect to the building. It is an old wooden building. It is going to require substantial repairs—substantial repairs to keep it open. This Home was tried to be closed several years ago as you know, and the people of Bath at that time agreed to provide more financial support for this Home. They did not. This is not a military and naval home. It does not have in it children, or more than one or two at least, that have any connection in this respect.

But I suggest to you that perhaps this is the time to close this Home. It will be phased out. Excuse me, it will be phased out by the Department of Health and Welfare, and as for the fact that twins will be separated. This is not necessarily true. Every effort of course will be made to keep these children who are relatives and have been together, together and it's certainly not within the realm of possibility or impossibility that they will not be kept together. And if they come under the program of ADC, well, that is the foster home program care, and perhaps some of these parents should be investigated who have children there. So I would move the indefinite postponement of this amendment, and when the vote is taken, I would request a division.

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

Mr. MCGEE: Mr. Speaker, Members of the House: The Appropriations Committee has had a long, hard study of this Supplemental Budget. They have rendered a report to you, and they have cut the proposed budget by a substantial amount. Now the first thing that I noticed on this Supplemental Budget is an amendment to increase it by this special issue which went through the House and was defeated. It is only in the Supplemental Budget because they want to make one more try. I think that is a nice institution down there. It is no longer the institution to which it was intended for in the first place. It is too expensive. There might be some way of making it less expensive, more desirable; but if we are going to support this Supplemental Budget or any part of it—there are several other amendments here, and the first thing that we know when we add them up, we will have more Supplemental Budget than we did to start with and the work of the Appropriations Committee will go overboard and worth nothing.

Now I think that we should take special notice of this thing and be careful as to these added amendments which require more money to simply satisfy some small locality or someone's own personal idea, and we should look over the entire effect it may have on the state to keep this Supplemental Budget as recommended somewhere near with the Appropriations Committee; or if we can help them out any in reducing it, that might be all right too. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentlewoman from Falmouth, Mrs. Smith, that House Amendment "A" be indefinitely postponed. A division has been requested. All those in favor of indefinite postponement of House Amendment "A," will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Fifty-seven having voted in the

affirmative and sixty-five having voted in the negative, the motion to indefinitely postpone House Amendment "A" did not prevail.

Thereupon, House Amendment "A" was adopted.

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

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

Mr. RUST: Mr. Speaker, I present House Amendment "B" to Legislative Document 1586 and move its adoption.

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

HOUSE AMENDMENT "B" to H.P. 1105, L.D. 1586, Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1964 and June 30, 1965."

Amend said Bill under the caption "MAINE MARITIME ACADEMY" by striking out the line "All Other 50,000 50,000" and inserting in place thereof the line "All Other 75,000 75,000"

Further amend said Bill by correcting the totals therein affected by the adoption of this amendment.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: The amendment before you this morning increases the appropriation for the Maine Maritime Academy from \$50,000 per year for the next biennium to \$75,000 per year. And I would like to explain to you why I feel this is necessary. The Maine Maritime Academy is not graduating a class this June, but they will be taking in a new class the first part of August. At the present time, there are approximately 300 students enrolled at the Maritime Academy. They will be enrolling close to 200 in the August class, thus converting to a full four-year Academy. After there are a few drop-outs, which comes to every class, this means

that the enrollment at the Academy will be increased nearly fifty percent. Now it is just common sense that you can't increase your enrollment fifty percent and operate on the same budget that you have been operating on.

Now we have been asking, and I still feel that the Academy should be asking, for \$75,000 for each year of the coming biennium to take care of this extra enrollment burden. In addition to that, there are going to be increased expenses in relation to the cruising of the training ship. In past years, the training ship has cruised with the full compliment of the Academy for a three months' tour. This next coming two-year period, the Academy will not be closed down. One-half the Academy or approximately one-half of the compliment of the Academy will go on a cruise for a six weeks' period while the other half stays at the Academy and then they will reverse and shift and their second section will go on a cruise for six weeks, and they will alternate that way over a two-cruise program.

Now as a result of this, this means double expenses at the Academy. The staff must be maintained and the boys must be fed and housed while they are there. It is for this reason that I stand here this morning and strongly urge your adoption of House Amendment "B." I would like to point out one further thing to you. The Maine Maritime Academy is not a 182-day school institution, nor is it a nine months' school institution. These boys spend twelve months a year there except for a few days or a few weeks of annual leave. This is a twelve months' program, four years, forty-eight months. The money is necessary. I hope you approve the amendment. When the vote is taken, I request a division.

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

Mr. JALBERT: Mr. Speaker, and Members of the House: In the Current Services Budget, the entire money given to the Maine Maritime Academy was \$469,000 for the biennium, which is a

goodly sum up and over the money granted to them the previous biennium. I don't think anyone feels as kindly towards the Maine Maritime Academy as the gentleman from York, Mr. Rust. This goes along with his thinking. The L.D. 360, the original document had no funds in it. The Committee granted \$50,000 each year. On Friday afternoon, I spoke to the Admiral in charge and informed him of what the Committee's action and intent was. He told me that naturally he would like to have a larger amount. And I asked him if he could get along with the sum as the intent of the Committee was, and he assured me that he would be very happy. I talked to him about 4:30 or quarter of five on Friday afternoon at the school site. On that basis, I move the indefinite postponement of this amendment.

The SPEAKER: The question now before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that House Amendment "B" be indefinitely postponed.

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

Mr. RUST: Mr. Speaker, I am well aware of the remarks that the gentleman from Lewiston, Mr. Jalbert, has just made. But I still feel and with all due respect to the Admiral who is a fine superintendent of our Academy, I would have to disagree with his political viewpoint. We need \$75,000 per year or an increase of \$50,000 over what the Supplemental gives us. I, as a practical politician, am willing to stand here this morning and fight for it. I am not willing to back down and take something second best if it is not absolutely necessary. As I say, the Admiral being a person who is a superintendent and not a practical politician would be more inclined to go along with something less than I would, and I still hope the motion to accept the amendment prevails and the motion to indefinitely postpone does not. I request a division.

The SPEAKER: Is the House ready for the question? All those

in favor of indefinite postponement of House Amendment "B," will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety-four having voted in the affirmative and thirty-two having voted in the negative, the motion to indefinitely postpone did prevail.

Thereupon, House Amendment "B" was indefinitely postponed.

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

Mr. ANDERSON: Mr. Speaker, I am a little thickheaded, but in regard to "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1964 and June 30, 1965," on page four at the bottom of the page, under Educational Television, I don't quite understand these figures and I was wondering if some member of the Appropriations Committee might explain.

The SPEAKER: The gentleman from Ellsworth, Mr. Anderson, poses a question through the Chair to any member of the Appropriations Committee who may answer if they choose.

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

Mrs. SMITH: Mr. Speaker and Members of the House: This is \$25,000 for each year of the biennium to be taken from the Educational Television fund of the University of Maine and paid to the BBC for providing programs at elementary and secondary school level for the southern or the section of Maine covered by those stations.

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

Mr. JALBERT: Mr. Speaker, in further explanation of the program, the first part of it which would call for one and one-half persons each year and deleting temporarily the \$25,000 on All Other, which would leave that amount \$11,875 for the first year and \$16,670 for the second year and leaving the capital expenditure money of \$510 for the

first year and \$60 for the second year, these amounts mean that the Education Department could be, if you would want to call it, a liaison between themselves and the University of Maine and also Bates, Bowdoin and Colby. It would mean that they would be able to participate in a helpful manner in the program. Striking these amounts out, would mean that as far as the State Education Department, they would have no part at all in the education program. I know that the argument can be brought forward that it should be conducted from the University of Maine, but the Education Department of Maine with this small amount will be helpful to the program all around and also it will allow them to participate in it.

The \$25,000 each year that was included in this item, you will see later on, it is deleted on page 11, the very last item, at \$25,000 each year, is deleted from the entire amount at the University of Maine, which will allow them through this deletion, which will allow them to throw this money into this phase of the appropriation and allow programs to be bought or made possible by BBC.

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

Mr. MacLEOD: Mr. Speaker, I would like to pose a question through the Chair to the gentleman from Falmouth, Mrs. Smith, asking, isn't it true that the people of the State of Maine were told all along on this educational television that this would be carried by the southern network of this BBC tied in with the University of Maine network at no charge? And isn't it true that just recently they said that they would require money; possibly this amount might increase two years from now?

The SPEAKER: The gentleman from Brewer, Mr. MacLeod, poses a question through the Chair to the gentleman from Falmouth, Mrs. Smith, who may answer if she chooses.

The Chair recognizes that gentleman.

Mrs. SMITH: Mr. Speaker, Members of the House: This is true. We

have only known of this most recently.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: I offer House Amendment "F" to House Paper 1105, Legislative Document 1586, and urge its adoption.

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

HOUSE AMENDMENT "F" to H. P. 1105, L. D. 1586, Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1964, and June 30, 1965."

Amend said Bill in section 1 by adding after the caption "VETERANS AFFAIRS" the following new caption:

'WATER IMPROVEMENT COMMISSION

Municipal Sewerage	
All Other	600,000 --

Provides for aid in constructing sewerage system in City of Saco'

Further amend said Bill by correcting the totals therein affected by the adoption of this amendment.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: The situation in Saco might have begun about six months ago. They had a new mayor at that time elected to the office, I believe it was the beginning of this year, who was not quite familiar with all the technicalities of legislative proceedings. Although he was not directly advised by the people in Washington that his money was available, they did urge him to get his situation organized so that he could come under the appropriation if it was available. He was then included in L. D. 227, which covered Old Orchard, Boothbay Harbor and the City of Saco. This was an emergency enactment.

He was not advised from Washington at that time so he was deleted from L. D. 227. As you know, L. D. 227 was enacted as an emergency enactment in the House and the Senate, and I believe signed by the

Governor, which left him in a rather embarrassing situation because he was advised shortly after that from Washington that his money was available. I believe this is the situation. I could stand to be corrected on this because so many things happened between the City of Saco and Augusta during this interim that no one seemed to get the situation quite correctly. However, the crux of the matter is this, here he is with the money available and the citizens of Saco expecting him to get this \$600,000 from the state. This is a big thing for the City of Saco because it means cleaning up that river and, of course, Old Orchard having its money, it seemed a shame that they should clean up their situation and the City of Saco not. The state has never, as I can recall, turned down the money for a sewerage system if the money was appropriated by Congress. Now, I would appreciate if a member of the Appropriations Committee might add to this and if I am in error, I'm sorry.

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

Mr. MINSKY: Mr. Speaker, I regret that the Assistant Majority Leader failed to check with members of the Appropriations Committee before offering his amendment, and also checking with members of the Water Improvement Board, because I think if he did he would realize that the Appropriations Committee and the Water Improvements Commission is very well aware of this problem and an attempt is being made to work this out. There is an existing budget in the Water Improvement Commission which I hope can partially be diverted for this purpose because it is set up for just such a project although it may run short. Both the mayor of Saco and Mr. MacDonald of the Water Improvement Commission have been before the Appropriations Committee within the last couple of days. We hope we will be able to work this problem out, but this is not the vehicle by which it should be worked out, and it is not even the source of funds from which these problems are usually worked out. I, therefore, hope this amend-

ment is defeated and that at the proper time, I think the appropriate action will be taken by the Appropriations Committee.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: To elaborate on the gentleman from Bangor, Mr. Minsky's remarks, what did happen here is that and when the mayor of Saco appeared before the Committee with Mr. MacDonald he explained it—and it's true, I've seen it in the paper, when L. D. 227 was reported out of Committee "Ought to pass" it is fair to assume that the people, even newspaper people or weeklies in the area were not aware of the fact that in the bill because of the striking out of the Saco project because it appeared then there was not the emergency that existed, and also I believe Mars Hill, and it left in the bill only Boothbay Harbor and Saco, and they were under the assumption that they were in the program. If I am wrong I know that the gentleman from Saco, Mr. Bedard, will correct me, but I know that such is the case, and as the gentleman from Bangor, Mr. Minsky stated, the Committee is fully aware of this, and is working on the project now, and in any event this is a one drop item and would not come in my opinion in this, it would come out of capital anyway, but in any event, the Committee is working out this program, and for that reason I move the indefinite postponement of this—not that I'm against the project, because I'm not, but I move the indefinite postponement at this time of this amendment.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Bedard.

Mr. BEDARD: Mr. Speaker, Ladies and Gentlemen of the House: This is a must. The City of Saco has one of the most polluted rivers in the State, and if this is not taken care of then Old Orchard will be in the same predicament as it was a few years ago when the Montreal paper predicted there was an epidemic of polio and most of the people walked out of Old Orchard, then

the businessmen of Old Orchard lost practically half a million dollars, as did Biddeford, Saco and Portland.

Now we had a meeting and the money was practically promised to us that we would come in the Supplemental Budget because we was not ready to go as an emergency measure, and I believe that these promises should be kept, and the money should be granted to Saco to build this. We have the federal money, and we're having the survey, and we want to clean up the river, and this is the contention of the State of Maine that we have clean water for recreation, and I hope that this measure passes.

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

Mrs. SMITH: Mr. Speaker, I would like to implore you to go along with the indefinite postponement of this amendment. This amendment should not be in this supplemental appropriations measure. It is a measure to be considered in the capital construction and to come from an unappropriated surplus. I have mentioned to you several times in debate here over the weeks in the House that we had a sewer problem and one of the big items that is coming before us was this particular problem of \$600,000 for Saco. I think if you will think back to those times, you will realize that the Appropriations Committee has been very much aware of this problem, but this amendment should not be here, and I do hope you will go along with the indefinite postponement of it, and allow it to be considered on its merits in the Capital Construction Budget which will be coming to you soon.

The SPEAKER: Is the House ready for the question?

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

Mr. WELLMAN: Mr. Speaker, I move we recess for five minutes.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, moves the House recess for five minutes.

(Five minute recess)

Called to order by the Speaker.

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

Mr. TYNDALE: Mr. Speaker, in view of certain circumstances and probably some errors of omission, I would like at this time permission to withdraw House Amendment "F."

The SPEAKER: The gentleman from Kennebunkport, Mr. Tyndale, withdraws House Amendment "F."

The Chair recognizes the gentleman from Gardiner, Mr. Hanson.

Mr. HANSON: Mr. Speaker, I present House Amendment "C" to House Paper 1586 or to L. D. 1586 and move its adoption.

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

HOUSE AMENDMENT "C" to H. P. 1105, L. D. 1586, Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1964 and June 30, 1965."

Amend said Bill in section 1, under the caption "EDUCATION, DEPARTMENT OF," by striking out everything under the paragraph entitled "Vocational Rehabilitation" and inserting in place thereof the following:

Personal Services			
	(2)	2,400	(2) 2,668
All Other	12,127		12,019
Capital			
Expenditures	1,494		585
Provides funds to continue two limited employees as permanent			

Total Department of		
Education	16,021	15,272'

Further amend said Bill by correcting the totals therein affected by the adoption of this amendment.

The SPEAKER: The gentleman may proceed.

Mr. HANSON: Mr. Speaker, Ladies and Gentlemen of the House: In the first place I am no orator. I have not lobbied this amendment in any way whatsoever, but I would like to place a few facts before you if I may please. In the first place this amount, the amount in

this amendment was never taken out by the Appropriations Committee, and speaking of that figure, I refer to the figures of \$13,621 and \$12,604 for the biennium, which was removed from the Budget by the Governor. You members of the House who possibly might not be acquainted with what the Educational Vocational Program consists of, it is a public service. It is provided by the state and the federal government to help meet the vocational problems of the disabled men and women of our state. There are different phases which are handled by the counsellors. In the first place, comes the counseling of those who might be disabled, the medical examination; and then if it is needed, they may have the physical aid such as braces or artificial limbs, hearing aids, and their training which is recommended by the counsellor, is for a special occupation. That training may be obtained in the colleges, business schools and trade schools or in some suitable shop or industrial plant.

They have at the present time, and I believe it is all that they intend to have, offices located in Augusta, Bangor, Calais, Lewiston, Portland and Sanford. Now this amendment does not include any other office or any added personnel. It simply replaces funds which are needed by the department to take care of their case load. And by case load, I mean the certain individuals which are needing assistance. Now each counsellor has a large population to cover, approximately 145,000. Now the resulting backlog of cases and delays in service, and this is of June 30, 1962, was 745 cases which are awaiting investigation, and 1,121 in the active case load.

Without taking more of your time, I would like to read parts of a letter which I received from the director of this division, Mr. Curtis. And it says:

"In response to your request this afternoon I am sending you some of the material originally sent to you. In addition I can give you the following facts and figures.

In the current services budget originally presented to the Governor we had asked for \$140,955 for fiscal

1964. This was cut back \$13,621 leaving a total of \$127,334 which is the amount included in the current services budget recently passed.

For fiscal 1965 we had requested \$142,513 in the current services budget and this was cut \$12,604, leaving a total of State funds of \$129,909. Of course, one of the effects of such a cut is a severe loss in federal funds, although I realize that this is not always a good selling point with the Legislature. For the year 1964 we lose over \$26,000 in federal monies and over \$24,000 in federal monies for 1965; as the federal matching ratio is two federal dollars to one state dollar.

Nearly all of the amount cut, which we hope you will be able to restore, is to be used for actual client services. In other words there would be no new personnel hired.

There are several reasons for this slight increase in our current needs among them are the increasing needs to use the existing rehabilitation services in Maine such as the Hyde Rehabilitation Center at Bath, and Thayer Hospital at Waterville. Last year we sent 82 clients to Hyde at a cost of approximately \$20,000 and the services provided included evaluation and physical restoration.

We are also working with the more severely disabled groups and clients whose disabilities are of such a nature that require long term hospitalization and medical treatment to restore them to gainful employment.

Another item to be considered on the cost of services is the fact that all hospital and medical costs have been increasing steadily over the years, thus it is more expensive to handle the same number of physical restoration cases and this does not provide for an increase in the number of clients.

There is still another group which we are being pressured into doing more for — the mentally retarded. We are the only agency that many of these youngsters have to turn to when their formal schooling has been completed. Many of them leave school at 16.

We are also getting more referrals from the Governor Baxter School for the Deaf — many of

them go on to continue their education at a cost of about \$2,000 a year for each one. This is money well spent but we are obliged to limit the number we can assist.

Another interesting figure you can quote to the House members is the fact that last year out of a total of 360 rehabilitations (persons who have been given various services and returned to gainful employment), 75 of those were on welfare, costing the taxpayer about \$92,000 which was within \$38,000 of our entire State appropriation!"

I will not read any further with this. The only thing I have to add is the fact that in our school alone, we have had a few of these of whom they have been trying to rehabilitate, and mention those of the deaf. We had one student who was deaf. It was our first problem with a case of that type. It was certainly interesting, and we learned a great deal out of it ourselves. He did come through with his state exam. He is in business for himself. He is earning his own livelihood. There are others who have entered our school, of which this state I know has been supporting their families and while they were in school, they paid their tuition, they purchased their tools, they paid support of the individual student while he was at school, and after their passing the exam, the state assisted a few in setting up their shops so they could go into business for themselves. They then became a citizen which was a taxpayer within our community and instead of receiving relief from the state, they were out where they were earning their own livelihood and entering society as they should. I certainly hope that this small amount can be added to the Supplemental Budget. I move its passage.

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

Mrs. SMITH: Mr. Speaker and Members of the House: On this particular amendment, I would like to tell you that in the Current Services Budget, there is \$250,242 for this. In the Supplemental, there is \$4,868. Now I am sure I don't need to keep reminding you

that we have to compromise in the Appropriations Committee, that these demands and these requests whereby they are legitimate from the department's standpoint, have to be considered and evaluated with the amount of money that we feel some of you wish to go along with, and with the other programs that we have.

Now we left \$2400 in the first year of the biennium and \$2668 in the second year of the biennium, and this was done to allow him to make these two part time or temporary employees, permanent. And the other portion of these two employees' salaries, will be matched by federal funds. Now this seemed to be all that we could give him, and all that we perhaps should give him. Because I feel that in view of this, this is being very generous with him and in view of the other program. After all, we have other areas of rehabilitation also that works towards some of these same ends, and we just do, and I do hope that this amendment will be indefinitely postponed. I move for the indefinite postponement, and ask for a division.

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

Mr. TOWNSEND: Mr. Speaker, I am in favor of this amendment being a former student of rehabilitation. Thank you.

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

Mr. EWER: Mr. Speaker, I hope the motion to indefinitely postpone this amendment does not carry. To my mind, this rehabilitation program is one of the most vital means of saving money for the state in the long run with the towns comprising the state, that we have before us. I know of two cases which have occurred in the Bangor district, one where a boy of slightly retarded mentality was trained and placed on his own. He was able to pass a civil service examination. Where he was costing his town \$1,000 a year and would cost that for the rest of his life at least, he is now self-supporting and able to save money on this job that he has been fitted for.

The other case was a boy from another town who was involved in a serious accident which burned his hands in a clawlike condition, burned his face, his ears. The Department did not have money enough to perform the twenty-three operations which were necessary to make him self-supporting. The Hyde Memorial has agreed to pick up the tab for the first nine operations, hoping that the state then would have money enough to finish the job. This boy is costing his town at the present time about \$800 a year. He is an ambitious boy who wants to get on his own feet and become self-supporting and this will enable him to do it. For those reasons, I am strongly in favor of the passage of this House Amendment "C," and hope that it will be done. Thank you.

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

Mr. RICHARDSON: Mr. Speaker, I am very glad to rise in support of the gentleman from Gardiner, Mr. Hanson. Several weeks ago during an acute bout of sinus, I spent an afternoon with Dr. Ted Hill in Waterville. During the course of the treatment, a great deal of discussion centered around this rehabilitation since Dr. Hill is vitally interested in it at the Mansfield Clinic. It would appear to me that this is one of the first expenditures of money that I have listened to since last January in which the state is getting a very sizeable return for the dollars spent. I would think it would be utter foolishness to turn down the money for rehabilitation for these people when they are taking ninety-two odd thousand dollars off the rolls of the Health and Welfare Department. I can't see any justification for not giving them this money.

The SPEAKER: The question before the House is the motion of the gentleman from Falmouth, Mrs. Smith, that House Amendment "C" 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.

Fifty having voted in the affirmative and sixty-three having voted in the negative, the motion to indefinitely postpone House Amendment "C" did not prevail.

Thereupon, House Amendment "C" was adopted.

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

Mr. PLANTE: Mr. Speaker, I present House Amendment "G" and move its adoption.

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

HOUSE AMENDMENT "G" to H. P. 1105, L. D. 1586, Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1964 and June 30, 1965."

Amend said Bill by adding at the end, 3 new sections, as follows:

'Sec. 4. P. & S. L., 1963, c. 168, Sec. 1, amended. That part of section 1 of chapter 168 of the private and special laws of 1963, as heretofore passed by this Legislature, which relates to "*Municipal Sewerage" under the caption WATER IMPROVEMENT COMMISSION, is amended to read as follows:

*Municipal Sewerage
All Other 565,000 1,130,000 565,000'

Sec. 5. P. & S. L., 1963, c. 168, Sec. 1, amended. That part of section 1 of chapter 168 of the private and special laws of 1963, as heretofore passed by this Legislature, which relates to the total appropriation for the Water Improvement Commission, under the caption WATER IMPROVEMENT COMMISSION, is hereby amended to read as follows:

'Total Water Improvement Commission 701,629 1,266,629 705,272 140,272'

Sec. 6. P. & S. L., 1963, c. 168, Sec. 1, amended. That part of section 1 of chapter 168 of the private and special laws of 1963, as heretofore passed by this Legislature, which relates to "Total — All Appropriations and the last paragraph, are hereby amended to read as follows:

'Total — All
Appropriations
\$70,559,640 \$71,124,640 \$72,674,068
\$72,109,068

Amounting to \$70,559,640 \$71,124,-640 for the fiscal year ending June 30, 1964 and \$72,674,068 \$72,109,068 for the fiscal year ending June 30, 1965.'

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

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: On the outset, I would like to emphasize that this is only a technical amendment. It neither adds to the Supplemental Budget, nor neither subtracts from the Supplemental Budget. It, in fact, concerns the Current Services Budget which has already been signed by the Governor. What it does, it places the money for municipal sewerage to the tune of \$1,130,000 in the first part of the biennium rather than separating it for each of the two years of the biennium. This is so the communities of Damariscotta and Wiscasset can take advantage of ATW federal funds, and also for the communities now under order of the Water Improvement Commission of Norway, Thomaston and South Paris plus the community of Ogunquit which has a health problem can take advantage of the money which we have already appropriated in the first year of the biennium rather than to delay and take a chance of losing federal assistance by dividing the money half and half. This is merely all that it does. It is simply a technical change.

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

Mrs. SMITH: Mr. Speaker, Members of the House: At the moment I am not too sure what the gentleman from Old Orchard, Mr. Plante, is trying to do. But I still feel that this whole matter is now before the Appropriations Committee. We had Raeburn MacDonald before us last Thursday afternoon to discuss all of these projects and the problem of sewerage, including the Saco, the Damariscotta, the Wiscasset, Norway, Paris. It seems to me that this is the place where it ought to

be considered in the capital construction when we bring that report in, not in this budget. I hope that that is where we will discuss it because the Appropriations Committee has not finalized their decision on any of these things.

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

Mr. PLANTE: Mr. Speaker, as I indicated, it is simply a technical change. I felt that whereas it was of a recurring nature, that is an annual appropriation of five hundred odd thousand every year within the current services budget, that technically it would be more proper to present this and amend it within the supplemental budget. If I am assured that it will be handled through the capital construction, I will not argue over a technical point.

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

Mr. WELLMAN: Mr. Speaker, I move we recess for five minutes.

The SPEAKER: The gentleman from Bangor moves that we recess for five minutes.

(Five minute recess)

Called to order by the Speaker.

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

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House: As I indicated in my earlier remarks, I do not wish to argue over technicalities; so in order that this may be considered under the capital construction budget rather than here where I feel it belongs, I will withdraw House Amendment "G".

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante, now withdraws House Amendment "G."

The Chair recognizes the gentleman from Gouldsboro, Mr. Young.

Mr. YOUNG: Mr. Speaker, I offer House Amendment "E" and move its adoption.

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

HOUSE AMENDMENT "E" to H.P. 1105, L.D. 1586, Bill, "An Act Making Supplemental Appro-

priations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1964 and June 30, 1965."

Amend said Bill in section 1 by inserting after the caption entitled "SCENIC COMMITTEE" the following:

'SEA AND SHORE FISHERIES Administration

Capital Expenditures	15,000	—
Provides additional funds for Patrol Boats with motors and radios and a radar for the "Explorer" and for repairs to patrol boats'		

Further amend said Bill by correcting the totals therein affected by the adoption of this amendment.

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

Mr. YOUNG: Mr. Speaker and Ladies and Gentlemen of the House: You will note that in comparing L. D. 360 and the new draft L. D. 1586, the Department of Sea and Shore Fisheries is the only department that was cut completely from the original supplemental budget. Deleted from L.D. 360 was a fishery research project and additional administrative and enforcement personnel.

This amendment will restore the \$15,000 capital request for the Department of Sea and Shore Fisheries. This \$15,000 is for the purpose of providing needed tools for existing personnel in order to carry out the provisions which are required of this department by law. This request will provide for patrol boats, radio equipment, radar, and general repair to floating equipment.

The Department of Sea and Shore Fisheries is charged with promotion, the investigation, protection and conservation of a fishing industry which contributes in excess of \$75,000,000 to the economy of the state. That \$15,000 broken down would be: Three patrol boats with outboard motors,

to replace obsolete equipment, at \$2,000 apiece, that would be \$6,000; and radar for the patrol boat Explorer would be \$2,150; three police radios at \$450 each would be \$1,350; one state-owned vehicle, \$2,000; and \$3,500 for repairs to the two large patrol boats.

And I hope you will go along and adopt House Amendment "E."

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

Mrs. SMITH: Mr. Speaker, could I ask for a five minute recess so that I might acquaint the other members of the Appropriations Committee with —

The SPEAKER: The gentlewoman from Falmouth, Mrs. Smith, moves that the House recess for five minutes.

(Five minute recess)

Called to order by the Speaker.

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

Mrs. SMITH: Mr. Speaker and Members of the House: As you know, we had to take this bill and try to do the best we could, cutting and working with it. This material was brought to my attention this morning. We did not have an opportunity to talk with all the members of the committee before we came up here on many of these issues, and it is now the unanimous agreement of the Appropriations Committee that this amendment should be accepted. We do believe that it will work a hardship on that department if it is not accepted. And I would now move the adoption of this amendment—I guess it has been moved.

The SPEAKER: Is it now the pleasure of the House that House Amendment "E" be adopted?

The motion prevailed.

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

Mr. MacLEOD: Mr. Speaker, I would like to present House Amendment "I" to L. D. 1586 and move its adoption.

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

HOUSE AMENDMENT "I" to H. P. 1105, L. D. 1586, Bill, "An

Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1964 and June 30, 1965."

Amend said Bill in section 1 under the caption "EDUCATION, DEPARTMENT OF" by striking out from the paragraph entitled "Educational Television" the line:

"All Other 36,875 41,670"

and inserting in place thereof the line:

'All Other 11,875 16,670';

and by striking out in the explanation the sentence "Also provides \$25,000 in each year for purchase of television time from Station WBBC for primary and secondary level educational programs"

Further amend said Bill by striking out all of section 2 and renumbering section 3 to be section 2.

Further amend said Bill by correcting the totals therein affected by the adoption of this amendment.

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

Mr. COOKSON: Mr. Speaker and Members of the House: I would like to pose a question at this time to the Chairman of the Appropriations Committee on this subject. Is it not true that the Colby College Network has agreed to carry this educational TV for the next two years only, and at the end of this two-year period the taxpayers of the State of Maine will be faced with the problems of building a television station to serve the folk of the southern part of this state?

The SPEAKER: The gentleman from Glenburn, Mr. Cookson, poses a question through the Chair to the Chairman of the Appropriations Committee, who may answer if she chooses.

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

Mrs. SMITH: The first part of the question was—I'm sorry, the first part was, will this pay for just two years?

Mr. COOKSON: My question was, have they agreed only to do this for two years, as they prefer to use their facilities for their col-

lege only, and after that they do not want to furnish it for our secondary schools any longer?

The SPEAKER: The gentlewoman may answer if she chooses.

Mrs. SMITH of Falmouth: That is my understanding, that this will be up again for discussion at the end of two years.

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

Mr. JALBERT: Mr. Speaker, as I understand it the gentleman's question is that at the end of the two years that Colby and Bates and Bowdoin want no part of the State Education Department or the University of Maine as far as they are concerned in educational television. I never heard of such a thing in my life, and last Sunday morning, Mr. Chairman and Members of the House, I spoke to Mr. Lyford who is the director of the station to alert him of this. He explained it to me as I knew it. This was the first that we knew about this and I knew about it was sometime this week. The thing was explained to me very, very easily. Insofar as the educational TV is concerned, for people who cannot reach into the Bangor area and around the University of Maine area, in our area we will be almost blacked out. I certainly urge that this amendment does not have passage, and I move its indefinite postponement.

We have got, Mr. Speaker and Members of the House, educational TV, and I am not going to stand here and fabricate. I am going to tell you now that it is very possible that two years from now that if we buy more programs from Colby, Bowdoin and Bates, we will have to pay more, because there is an old story that if you want to play, you have got to pay.

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

Mr. MacLEOD: Mr. Speaker, Ladies and Gentlemen of the House: I am well aware that if you want to play, you have to pay. But the people of this state were told that there would be no charge for carrying this program into the University of Maine network over Station WBBC. And now at the last

minute, we are being asked to subsidize a separate and private TV network. This is going to be something new for the State of Maine if you go into this type of endeavor. This is going to be an amount of money that now is \$50,000 for this biennium. I will guarantee you, as the gentleman from Lewiston said, will be a larger amount two years from now. This is the beginning of something that is not good, when we start subsidizing a private ETV network, particularly when that network was willing to carry these programs for nothing, or at least we were told that previous to the last few weeks.

Incidentally, this money does not change the Supplemental Budget one penny. This is not a cut. This is just a change to put the \$50,000 back into the Current Services Budget which they took out in Section 2, and to remove it from under the Education Department. So the change is it's a wash item. I would hope that the House would defeat the motion to indefinitely postpone.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, to indefinitely postpone House Amendment "I." The Chair will order a division. 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.

Mr. JALBERT of Lewiston: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman arise?

Mr. JALBERT: Mr. Speaker, I move for a roll call.

The SPEAKER: A roll call has been requested. Fifty-two having voted in the affirmative and sixty-one having voted in the negative—the gentleman from Lewiston, Mr. Jalbert, now requests a roll call. For the Chair to order a roll call, it must have the expressed desire of one-fifth of the membership present. All those who desire a roll call, will please rise and remain standing until counted.

An insufficient number arose.

The SPEAKER: Twenty having expressed a desire for a roll call, obviously is not a sufficient number.

Fifty-two having voted in the affirmative and sixty-one having voted in the negative, the motion to indefinitely postpone House Amendment "I" did not prevail.

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

Mr. JALBERT: Mr. Speaker, pending now is it not is the acceptance of House Amendment "I?"

The SPEAKER: That is correct.

Mr. JALBERT: Mr. Speaker and Members of the House: The Appropriations Committee of which I am a member worked for months on end on the current services budget. During our deliberations on various L. D.'s, our deliberations on the current services budget, periodically some of us would meet with one another, some of us would meet with other Members of the House. I can well recall sending out a notice asking the Members of my party to bring their budget books and I would be happy to spend any amount of time they wanted to to explain the budget as well as I could.

I can well remember when the current services budget came up for debate — and I am well aware of the fact that anyone — and it is certainly the reason why this bill is here for your acceptance or rejection — I can well remember however, that we became — we Members of the Appropriations Committee to some became people with horns. I thought the horns had been cut off, but I can see them sprouting. Again as far as I am concerned, and this is one time when I am not going to take it lying down. Now I don't consider myself an expert on budget matters. I don't consider myself an expert as far as the red covered book is concerned, but I think I have seen it before. I have lived with the budget book, and I have lived in the Appropriations Room. Now I would like to ask a question of the gentleman from Brewer, Mr. Mac-

Leod and the gentleman from Winterport, Mr. Easton, if it is not a fact they had to be led to the Appropriations Room when they met in the Committee of Conference?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a question through the Chair of the gentlemen if they choose to answer.

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

Mr. MacLEOD: I would be most happy to answer the question with my limited knowledge of where the Appropriations Committee Room is. I don't think there is anyone in this House, except House Members of the Appropriations Committee that has spent more time with that red book than I have. I spent about five Sundays at home, a minimum of four hours each of those five Sundays. I spent many hours in my apartment going over that red book, and I have looked at some members' of the Appropriations Committee red books, and mine is far more dog-eared than theirs. The gentleman from Bath a few minutes ago, or a few days ago, said a little knowledge is a dangerous thing, referring to the gentleman from Wiscasset, Mr. Pease and myself. I will agree with him; but I also say that no one has made any more attempt to acquaint themselves with this operation of the current services and supplemental budget and the bond issue than I have.

The SPEAKER: For what purpose does the gentleman arise?

Mr. JALBERT: To speak. I mean the motion is still alive.

The SPEAKER: Does the gentleman wish to speak on the amendment or unanimous consent to briefly address the House?

Mr. JALBERT: I am speaking on the amendment.

The SPEAKER: The gentleman may proceed.

Mr. JALBERT: I believe my question has been answered. I would like to submit to you now that particularly people from I would say Waterville through to Augusta and all surrounding towns around Lewiston all surrounding towns and on up in the

areas of Oxford County and areas back in Sagadahoc and Cumberland County and areas of Cumberland County that ETV would be shut off. I will admit it either upon query or upon comment that the program that we might be asked to again help. In this instance, however, we are asking to help, but it is not costing—it is not upgrading or downgrading the current services budget or the supplemental budget. The University of Maine budget is being hurt by \$25,000 each year, and what we do two years from now is up to us to decide. That is why this amendment was put into the supplemental budget, this sum was changed or this change was made into the supplemental budget and if I am in order, Mr. Speaker, I again would move with tremendous sincerity the indefinite postponement of this amendment.

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

Mrs. SMITH: Mr. Speaker and Members of the House: I want to make it clear to you, I think it has been said, but let me make it clear, that this is a transfer of \$50,000 for the biennium from the University of Maine's budget to the Bowdoin-Bates-Colby station, to provide programming for the southern end of the state covered by these stations. If we do not allow them to transfer this money, there will be no Educational Television coverage in that area in the next two years.

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

Mr. MacLEOD: Mr. Speaker, I would like to pose a question through the Chair to the gentleman from Lewiston, Mr. Jalbert. Do we not have a contradiction here where a few weeks ago the members of the Appropriations Committee, including the gentleman from Lewiston, Mr. Jalbert, stoutly maintained that no cuts could be made whatsoever in the current services budget as reported out by their committee, that the University of Maine needed the whole \$224,000 in the first year of the biennium and the whole \$298,000 the second year of the biennium for Educa-

tional Television, and yet now they are coming out and saying that they can get along with \$50,000 less very nicely, and they are recommending that we deduct \$50,000 from this ETV appropriation for the University. Is there not a contradiction here?

The SPEAKER: The gentleman from Brewer, Mr. MacLeod, poses a question through the Chair to the gentleman from Lewiston, Mr. Jalbert, who may answer if he chooses.

Mr. JALBERT: It is not a contradiction. However, the four stations involved, Colby, Bates and Bowdoin got together with the University of Maine and the Department of Education, and when they saw that a great portion of the state would be blacked out, then in my opinion, the University of Maine gave up \$25,000 each year—

The SPEAKER: Will the gentleman answer the gentleman's question?

Mr. JALBERT: Well give me a chance to answer it! I am answering the question legitimately. As far as I am concerned, Mr. Speaker, I asked a question and I think I got the biggest run-around I ever got since we started here, so give me a minute.

The SPEAKER: Is the House ready for the question? The question before the House is the adoption of House Amendment "I." The Chair will order a division. All those in favor of the adoption of House Amendment "I"—

Mr. JALBERT: I moved indefinite postponement.

The SPEAKER: Your motion was not in order. All those in favor of the adoption of House Amendment "I" will rise and remain standing in your places until the monitors have made and returned the count.

A division of the House was had. Sixty having voted in the affirmative and sixty-five having voted in the negative, House Amendment "I" failed of adoption.

Mr. MacLeod of Brewer offered House Amendment "D" and moved its adoption.

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

HOUSE AMENDMENT "D" to H. P. 1105, L. D. 1586, Bill, "An Act

Making Supplemental Appropriations for the Expenditures of State Government and for Other Puroses for the Fiscal Years Ending June 30, 1964 and June 30, 1965."

Amend said Bill in section 2, under the caption "UNIVERSITY OF MAINE," by striking out the line "All Other (25,000) (25,000)" and inserting in place thereof the line:

'All Other (100,000) (100,000)'

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

Mr. JALBERT: Mr. Speaker, does a question count me in for a time at bat? If I ask a question, is it a time at bat for me?

The SPEAKER: That is time against the speaker.

Mr. JALBERT: I would like to ask the gentleman from Brewer, Mr. MacLeod, a question. I really don't understand the amendment. I talked to one of my colleagues a while back and that is how I guess the previous amendment appeared on the scene, and I was wondering whether or not this amendment should be brought up against Section 2 or else possibly it should have been brought up against page 11, at the top of page 11?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a question through the Chair of the gentleman from Brewer, Mr. MacLeod, who may answer if he chooses, and the Chair recognizes that gentleman.

Mr. MacLEOD: Mr. Speaker, I hope that I have the amendment and the money in the proper place. I checked with a prominent member of leadership in this House and asked if having it drawn up this way had the meaning of deducting an additional \$150,000 for the biennium out of the University of Maine's ETV appropriation and he assured me that it did. Section 2 reads, there is hereby appropriated to be deducted from funds made available for University of Maine, educational television and Chapter 168 of the Private and Special Laws of 1963 the following amounts: twenty-five, twenty-five, and I understand that this Chapter 168 of the Private and Special Laws of 1963 is the Current Services Budget.

I assume from what was said by the gentleman from Lewiston, this \$50,000 is being deducted from ETV, I am changing that to \$200,000.

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

Mr. JALBERT: Mr. Speaker, a few moments I spoke pleadingly for ETV wherein it concerns a certain section of the state, and I am now going back to the other section of the state. It is certainly true that the University of Maine's ETV program was — they voluntarily cut themselves off by \$25,000. This additional \$75,000 would not only harm the program as far as the University of Maine's ETV is concerned, but it would completely wreck it. Now I have spoken twice. I don't think I have got too much chance for getting unanimous consent, and I am sure that ETV wanted to give the necktie away, but they weren't willing to participate with the entire wardrobe. For that reason, I move the indefinite postponement of this, in my opinion, a very bad amendment.

The SPEAKER: The question now before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that House Amendment "D" be indefinitely postponed.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I arise in opposition to the adoption of House Amendment "D" which in effect takes \$75,000 a year away from the appropriation for educational television, and to be spent by the University of Maine. Now, this particular topic has been given a lot of consideration by this session of the Legislature. There were serious attempts made to delete or reduce the appropriation for educational television in the Current Services Budget, and also in a private L. D. The theory and the principle and the benefits to be derived from educational television were very seriously and well debated in the last session of the Legislature, the 100th. This, in my opinion, is something that could very well do something substantial for education all the way across the State of Maine, and I hope that

this House, in its wisdom, will not see fit to do something to cripple that until we have had an opportunity to see what it will do, and then we can re-evaluate it if necessary. I oppose this amendment, and I request a division.

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

Mr. MacLEOD: Mr Speaker, Ladies and Gentlemen of the House: I pledge to you that this will be the last time this session that I will be up with an amendment, or with a killing motion, or with an indefinite postponement on any money bill, but I feel very strongly about this one, so I hope you will bear with me for just a few minutes.

First of all, let me congratulate the members of the Appropriations Committee for reporting out a document, that was different than was proposed by the Chief Executive of this state. They cut it. They actually cut it by \$1,300,000 forgetting the private L. D.'s. I was beginning to think that the announcements, the recommendations of the front office were something similar to holy writ in this Legislature, they could not be tampered with; so it is a breath of fresh air to see this minor cut having been made in that recommendation.

Now, this amendment, the gentleman from Lewiston mentioned that the University of Maine voluntarily cut \$50,000 off. Let us look at the educational television programming that is going to start on October 7 according to the newspaper a few weeks ago. They plan programming for four days a week. If any of you have read the programming, you will notice that after Monday practically every program is repeated, Tuesday, Wednesday and Thursday. There is a total of only five different, as I recall it, five different items in that entire week's program, most of them repeated three and four times. I suggest this type of programming does not require the money that a full programming of different items each hour would require.

Now let us look into educational television as a teaching medium, and compare it with an already operating well-balanced, well-stocked audio visual program which is maintained at the college of education at the University. There is nothing that can be done with educational television that can't be done with film, because educational television will be filmed. There will be few, if any, live programs. Most every school in the State of Maine has a projector; some schools have two or three projectors. A biology teacher, when the teacher gets to a certain item studying plants, can send to the University and have the film sent down by the best biologists in the country and project it, on a large screen, studying plants. If the child has a question half way through the showing of the film, he can raise his hand. The teacher can stop the film and run the film back, and explain the thing again. You cannot do this with ETV. If you have a half hour program that's on, it runs through and it's off; and every school in the state that wants to participate has to plan their schedule and their curriculum to be studying that same thing at the same time it's being shown in every school in the state; and I maintain this is not good teaching. The programming is very limited. They aren't going to start until October. I believe it's contrary to the teaching process. I think the same amount of money put into an enlargement of the audio-visual program that we now have would be far better for the people and the students of this state. This is not wrecking the ETV program. They still will have \$124,000 the first year of the biennium, and \$198,000 the second year of the biennium, and it has already been admitted that all of these stations are not going to be ready to be on the air on October 7th, only one. It will probably be sometime in 1964 before the other stations are constructed; so there will not be need of the full operating funds. I am positive, in this first biennium, although if this full amount is ap-

propriated, I will assure you that money will probably somehow be spent before July 1, 1965.

This Committee is not going to help hurt educational television in this first biennium of its trial. This \$150,000 out of this particular item will make up for the \$150,000 this House voted to restore the Bath Home earlier this morning, an amendment which I voted for.

I would hope the motion to indefinitely postpone does not prevail.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: If ever the people of Maine, through the Legislature, were taken for a ride, it is on the subject of educational television. For the new members that were not in the 100th Legislature, let me say that the longest speech made in the 100th Legislature was in selling the educational television program to that Legislature, at which time it was pointed out that a thorough study had been made, and that in order for Maine to be blanketed some 98 percent, we would need a station in Calais, and one in Orono, and one in Presque Isle. The rest of the state was already covered. The record will show you if you are interested that statements were made at that time that before too many years there would be recommendations coming before the Legislature for the State of Maine to purchase the private educational television interests in the state. These statements were definitely denied. That time would not come. A further prediction was made that after that time when the State of Maine purchased all the educational television facilities, that there would come a time when the cost would become so great that the state would probably see fit to sell the whole thing for a dollar bill to some interested citizen.

The time now has come for the first prediction to start taking effect. We are in the beginning of the process that will probably end up by the state getting control, and

taking over ownership of the private educational television interests in the State of Maine, and it will not be long before the second one probably will take effect.

I've been sitting here for many weeks listening to the Representative from Brewer, the gentleman Mr. MacLeod, speak. I have never listened to anyone that made more sense to me under which I could readily operate under his views as this gentleman. He has worked hard. He has studied long hours on this, and he has come up with this amendment, and as was said earlier, this amendment will not destroy educational television. It would just make sense to some of the monies that's being expended for that big thing.

If you will look at the record, you will find that when the Current Services Budget was being debated, that there was reference made there to the fact that monies were being appropriated through the Current Services Budget and the Supplemental Budget; there was a statement there in which a member of the Appropriations Committee got up and said that there was no such appropriation under the Supplemental Budget for educational television. Now you find that it is here. I wonder just how far this Legislature is willing to go in being permitted to be made a fool of. Let us vote for this amendment "I" or "D" and stop this erroneous spending along this line; slow it down a little bit for a brief period. Thank you.

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

Mr. EASTON: Mr. Speaker, before we vote on this, it seems perhaps the appropriate time for me to answer the question recently propounded by the gentleman from Lewiston since I do have a question on this particular amendment. The question was whether or not I, among others, did not to have to be shown the way to the Appropriations Room, and the answer is as I recall "yes," which is too bad because obviously that room contains within it, certain atmospheres which inspire both courtesy and intellect, and I must agree that I'm sure I'm lacking considerably in the

latter. I'm working under foremen. With respect to my lack of intellect, I still am confused by the language of this amendment, which specifies that there is to be appropriated, to be deducted from the University of Maine, this sum. Does this not mean that we are in this particular amendment to the Supplemental Budget appropriating this money which comes from somewhere else and, therefore, it's wash. I would appreciate an answer to this question.

The SPEAKER: The gentleman from Winterport, Mr. Easton, poses a question to any member who may answer if they desire.

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

Mrs. SMITH: Mr. Speaker and Members of the House; I wish to comment on a couple of statements by the Representative from Strong, Mr. Smith, but if Mr. Easton would make that question just a little clearer so I understood it, I'm not sure what you ask, Mr. Easton. Let me make the other comment. Perhaps Mr. Easton will make a direct reference.

The SPEAKER: The gentleman may proceed.

Mrs. SMITH: Mr. Speaker, the gentleman from Strong, Mr. Smith, has said that this is the beginning of buying BBC which had been predicted. Referring to any information I have, they would not be in the least bit interested in having us take over those stations. They want those stations for their own programming of college programs. This is not true. At the present time they are programming college programs, and in order to have the southern end of the state have programming on an elementary and secondary level, there must be transferred from the U. of M. \$50,000 for the biennium; and I will have to say in defense of the Committee that at the time the Current Services was before us, we were not aware of this.

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

Mr. WELLMAN: Mr. Speaker, I will try to enlighten Mr. Easton, the gentleman from Winterport. It seems to me that, as I remem-

ber it, that when we discussed an appropriation provided for in the Current Services, when we discussed this appropriation in Supplemental, we have to use the words of art "there is to be appropriated" and then make the deduction on the Supplemental.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: There have been some remarks made here this morning about the so-called audio-visual programs for public schools. In answer to those remarks I would like to say that audio-visual means movies, and as we all know since the advent of the so-called television, the attendance at movies has declined. But the basic problem of the audio-visual movies are that they are not geared or produced directly for classroom teaching purposes like the programs which are produced on the television. The programs on television are produced strictly to provide classroom teaching aids in conjunction with the teacher. Also I would like to point out that the television allows the school that is being used by the students to remain in the same condition. You don't have to pull the blinds down, you don't have to shut the lights off or anything. You just turn the television on and you are in business, and that makes a considerable difference in classroom teaching.

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

Mr. SMITH: Mr. Speaker, in response to some of the remarks made by the gentleman from Strong, Mr. Smith, I would like to comment that I believe it is significant that one of the leading opponents of ETV, the gentleman from Strong, Mr. Smith, is now in favor of this amendment, but he still indicates that it is not a crippling amendment. In my opinion it is definitely a crippling amendment to ETV. The remark has been made by the gentleman from Strong, Mr. Smith, that the people of the State of Maine were taken for a ride. That is a reflec-

tion on the intelligence of the electorate. The people of the State of Maine voted for ETV. The rules of the game are that we accept the vote once it is taken. This is an attempt now to erode and cripple ETV. Now let's give it a chance. The people have voted. Now let's accept the consequences of that vote and proceed with the program as voted in the Current Services Budget.

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

Mr. MacLEOD: Mr. Speaker and Ladies and Gentlemen of the House: In defense of the remarks of the gentleman from Strong when he says that the people of Maine were taken for a ride, it is my considered opinion that is exactly what happened. Only in the eastern and the northern areas of the state were the people given any opportunity to see the other side of the ETV picture. This was done through the medium of Maine's leading and greatest newspaper, the Bangor Daily News, and they did make an attempt to publish articles showing from other parts of the country where ETV had not worked out. But the University of Maine had a whole phalanx of people out selling ETV, one of whom was Mr. Donald Tavener, being partially paid for by State of Maine funds went all over the state selling ETV. Don Tavener is a good personal friend of mine, and he is also a very able fellow. He was called director of development. He was strictly a public relations man, and after he sold ETV to the people of the State of Maine, he has himself a nice job now for over \$20,000 a year as manager of two ETV stations in Pittsburgh.

The people of Maine today if they had the opportunity to vote again, after some of the negative things of ETV have been out, would certainly defeat it, and defeat it resoundingly as the people of eastern and northern Maine did after having just a little bit of the other side of the picture.

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

Mr. ANDERSON: Mr. Speaker,

Ladies and Gentlemen of the House: I hate to oppose my good friend Mr. Smith from Bar Harbor, but I have always been definitely opposed to ETV. I think it is absolutely a worthless medium of education. I concur most heartily with the gentleman from Strong, Mr. Smith.

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

Mr. COTTRELL: Mr. Speaker, Ladies and Gentlemen of the House: I certainly would be very recreant to my profession if I didn't stand up here and simply say that we think that ETV is one of the greatest things to hit our educational system. At Deering High School, we already have television sets. I have one in my room. I've used it this past year since the prayer controversy in the Supreme Court took place. Instead of reading from the Psalms and repeating the Lord's Prayer, which in my mind is not of too great value the way we do it by rote, and because of the way the language in the Old Testament is quite meaningless to the secondary student. We do have television, continental television, which anyone can witness in the morning from six to seven o'clock in which a student, by taking these two half-hour courses may get college credit in Science and in Math.

Further, at eleven-thirty each morning this past year, we had a very interesting course in economics that we received through television. And as you may recall, there is a great move and emphasis to teach our students more about the workings of our capitalistic system on the secondary level, and this economics course was beamed for the secondary student, and I found where it was quite difficult to sustain the interest of the student in some of our XYZ affairs, the history of our foreign policy and all of its intricacies in the text books that we have, I did find that their interest was alerted and stimulated by the presentation on television.

Immediately following that course, we had another course in the government of the United States by one of the top professors of the University of California.

Now we have this expense problem of education, and we know that it's going to continue, but I think this experiment of educational television which is being carried on successfully in the great majority of our states, despite statements which have been made to the contrary, I think this educational television is one of the greatest hopes to introduce a master teacher to cut down on the expense of many of the items in our educational budget.

I should also remind you too that in athletics we take movies of our football games each Saturday, and on Monday the whole squad has the opportunity to see himself in action, his mistakes. A picture is worth a thousand words, we all know. I do not think any of us would want to remove the television sets from our living rooms. I think we all would honestly and sincerely say that television programs even in this wasteland, as Secretary Minnow of the FCC called it at one time, I think we find great benefit from it. And in closing, I might pose a question to a person whom I have a great respect, to Mr. MacLeod from Brewer if, as we do in high school today must study Shakespeare, would you rather have as an aid or wouldn't you like to have as an aid as you read from the text in language that is provincial, would you not like to have as an aid a television picture with Elizabeth Taylor and Richard Burton in studying Anthony and Cleopatra?

Mr. MacLEOD: Yes.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that House Amendment "D" be indefinitely postponed. All those in favor of the indefinite postponement of House Amendment "D" will please rise and remain standing in your places until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Sixty-one having voted in the affirmative and sixty-eight having voted in the negative, the motion to indefinitely postpone does not prevail.

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

Mr. JALBERT: Mr. Speaker, I ask for a roll call.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one-fifth of the membership present. All those desiring a roll call, will please rise and be counted.

A sufficient number arose.

The SPEAKER: Obviously, a sufficient number having arisen, a roll call is ordered.

The Chair will restate the question. All those in favor of indefinite postponement of House Amendment "D," will answer "Yes" when their names are called. All those opposed to indefinite postponement, will answer "No" when their names are called. The Clerk will call the roll.

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

Mr. CHILDS: Mr. Speaker, is this matter still open for debate?

The SPEAKER: A roll call has been ordered.

The gentleman may proceed.

Mr. CHILDS: Mr. Speaker, Members of the House: It is certainly a very rare occasion when I find myself standing on the Floor of this House concurring with the gentleman from Strong, Mr. Smith. But this is one time that I think the gentleman is one hundred percent correct. I certainly am not opposed to the theory of ETV, but I am opposed at the present time to spending great sums of money for it. I think there are many other places in our educational system that this \$150,000 can be used. I shall vote in favor of this amendment.

The SPEAKER: Is the House ready for the question? The Chair will restate the question. All those in favor of indefinite postponement of House Amendment "D," will answer "Yes" when their names are called. All those opposed to its indefinite postponement, will answer "No" when their names are called. The Clerk will call the roll.

ROLL CALL

YEA—Albair, Anderson, Orono; Ayoob, Benson, Berry, Boissonneau, Boothby, Bourgoin, Bradeen, Bragdon, Brown, So. Portland; Carter, Cartier, Cope, Cottrell,

Crockett, Davis, Drake, Dunn, Edwards, Ewer, Gifford, Gilbert, Gill, Giroux, Hanson, Hardy, Hawkes, Hendricks, Hendsbee, Henry, Hobbs, Humphrey, Hutchins, Jalbert, Kilroy, Levesque, Libby, Lincoln, Littlefield, Lowery, Mendes, Minsky, Oakes, O'Leary, Osborn, Pierce, Pitts, Plante, Prince, Harpswell; Rand, Rankin, Richardson, Ricker, Ross, Augusta; Ross, Brownville; Rust, Shaw, Smith, Bar Harbor; Smith, Falmouth; Thaanum, Thornton, Townsend, Treworgy, Tyndale, Vaughn, Wade, Ward, Wellman, Whitney.

NAY — Anderson, Ellsworth; Baldic, Bedard, Berman, Bernard, Binnette, Birt, Blouin, Brown, Fairfield; Bussiere, Chapman, Childs, Choate, Cookson, Cote, Cressey, Crommett, Curtis, Denbow, Dennett, Dostie, Dudley, Easton, Finley, Foster, Gallant, Gustafson, Hammond, Harrington, Jameson, Jewell, Jones, Karkos, Kent, Laughton, Lebel, Linnekin, MacLeod, MacPhail, Mathieson, McGee, Meisner, Mower, Nadeau, Norton, Oberg, Osgood, Pease, Philbrick, Poirier, Prince, Oakfield; Reynolds, Roberts, Roy, Sahagian, Scott, Smith, Strong; Snow, Susi, Taylor, Viles, Waltz, Watkins, White, Guilford; Wight, Presque Isle; Williams, Wood, Young.

ABSENT—Brewer, Burns, Coulthard, Jobin, Knight, MacGregor, Maddox, Noel, Tardiff, Turner, Waterman, Welch.

Yes, 70; No, 68; Absent, 12.

The **SPEAKER**: Seventy having voted in the affirmative, sixty-eight having voted in the negative, with twelve being absent, the motion to indefinitely postpone does prevail.

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

Mr. **PEASE**: Mr. Speaker, Ladies and Gentlemen of the House: I present House Amendment "H" and move its adoption.

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

HOUSE AMENDMENT "H" to H. P. 1105, L. D. 1586, Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Gov-

ernment and for Other Purposes for the Fiscal Years Ending June 30, 1964 and June 30, 1965"

Amend said Bill in section 1 by striking out everything after the line:

"Department 1963-64 1964-65" and inserting in place thereof the following:

'EDUCATION, DEPARTMENT OF

General Purposes

Educational Aid

All Other	256,143	256,143
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Provides funds for payment of 100 per cent Subsidy at latest valuation

STATE EMPLOYEES

Personal Services	226,335	452,670
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Provides funds to implement Longevity Plan. Effective with applicable pay checks dated on or after January 1, 1964

Total	482,478	708,813
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Amounting to \$482,478 for the fiscal year ending June 30, 1964 and \$708,813 for the fiscal year ending June 30, 1965.'

Further amend said Bill by striking out all of section 2.

Further amend said Bill by renumbering section 3 to be section 2.

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

Mr. **PEASE**: I am sure, Mr. Speaker and Ladies and Gentlemen of the House, that some good soul here will move to indefinitely postpone this amendment so that you will have the opportunity to vote "yes" against it. Before that happens though, I would make one or two remarks regarding this amendment. As it may appear obvious, this amendment reduces the spending of the State of Maine in the next biennium by some \$2,316,302 if my arithmetic this morning is correct.

This Supplemental Budget which we now have before us provides for some 73.5 new employees of the state government's general fund. I am sure that these remarks and this suggestion to cut state spending will be referred to by individuals higher in government than you or I, as indefensible or incredibly irresponsible. That makes little dif-

ference. I think this is an opportunity to speak for the taxpayer, for the little man of the State of Maine, and suggest that in this budget that we have before us, we have an opportunity to prevent the chaotic condition that could well exist at the next legislative session regarding fiscal matters. I again call to your attention the fact that although the Current Services Budget as passed two years ago was \$119,000,000, the Supplemental and other expenditures that were made totalled some \$9,000,000 making a total in all last year of general fund appropriations of \$128,000,000. That was increased slightly in Current Services this time to \$143,000,000. I suggest to you that this is an opportunity to prevent the Current Services Budget two years hence when you will be here to consider it, it is an attempt to prevent it from skyrocketing and getting to a place where it is all out of proportion.

This is also an attempt to again bring to your attention the fact that although we have been requested to increase the sales tax by thirty-three and a third percent, that even though you perhaps may vote to do so at some point later on in this regular session of the Legislature, you might by proper amendment earmark some of those funds to be used for Current Services two years from now rather than having all of it lapse into Surplus, whose bounds as you all know are so sacred that they cannot be crossed for anything but capital expenditures. I have not taken into consideration in the amendment spending any funds other than the Current Services Budget or any items except the Department of Education which will give every community its one hundred per cent subsidy at the latest state valuations so that every town and city in the state is protected as far as its educational system is concerned. Neither have I paid attention to anything other than that and the problem of state employees having provided for the longevity program, which it is my belief was some sort of a compromise worked out by the Appropriations Committee and the state employees or their representa-

tives. I am pleased that at least one compromise has been accepted.

I have not provided in this amendment for a new building custodian in operating the three new buildings at Fort Williams which has been suggested as being necessary under the Department of Adjutant General. I have not provided the one employee authorization with no funds attached under the Department of Agriculture for a position for Weights and Measures Inspector. Under plain industry, I have not provided for personal services nor the All Other category for the foreign trade division which has been suggested. My amendment does not give to the Department of the Attorney General the one new clerical assistant in the first year, and that same clerical assistant with a raise in the second year.

I have not provided for the new or five additional state troopers which has been requested, nor the \$50,000 for the District Court system to get into operation some funds in addition to what the last legislative session provided. I have not provided for the Department of Economic Development's \$25,000 for recreational advertising. We're bound to get that into the discussion some place in the legislative session, either under its own bill or in the Supplemental. The Department of Education has not been given funds with which to reclassify, in other words, upgrade and give raises to those individuals who are now at the top in their category. The educational television has not been, the program has not been given funds with which to dicker with WBBC as far as purchasing time or purchasing the station or anything else is concerned. None of the teachers colleges have been extended with new employees or new appropriations as you will note. Neither have I provided the \$750 in each year of the biennium for the additional utility expense at the Blaine Mansion. Stop and consider your own budgets. In my case, \$750 would buy all my heat, all my electricity and all my water for a whole year, and yet we are providing additional \$750 for the Blaine Mansion.

My amendment does not provide either for the extension of the Bu-

reau of the Budget or of the Budget Division, or whatever it may be called, in the Finance and Administration Department. This, I feel, should be done through the office of the present legislative finance office, or an extended or improved office where we might have a responsible individual to the Legislature only and in no respect responsible to the executive department in the preparation of the budget. It grieves me some to realize that our Appropriations and Financial Affairs Committee, an arm of the Legislature, had as its clerk and assistant clerk, or in some responsible position, members of the Executive Department who were doing the leg work for them. I contend that this should be done by an arm of the Legislative Branch and the Legislative Branch only. Hence, no funds are provided in that category.

I think if you will carry on through you will see that many items which are provided in the Supplemental, I have seen fit to suggest on behalf of the little fellow, the taxpayer of the state, that they are not necessary to add to the already overburdened spending of government as we have provided in the skyrocketing, and I call your attention to the display presently in the Hall of the House—the skyrocketing Current Services Budget.

You will note I have not provided in my amendment for some \$210,000 interest on bonds on an estimated bond issue. I think that this is one item that we might consider as being somewhat suggestive of the position that the Appropriations and Financial Affairs Committee may take with relation to bonding in the state.

The Maine Maritime Academy is stricken for their additional funds as is some \$400,000 or nearly \$400,000 for Mental Health and Corrections. The Park Commission is not given funds to establish a division of outdoor recreation. I wonder what else the Park Commission itself has to do than concern itself with the out-of-doors and the out-of-doors recreation. This provides not only for a division head and a stenographer, but an assistant division

head in the second year of the biennium.

My amendment neither provides for in the case of the Public Utilities Commission readjustments and related retirement costs. This again I believe to be merely a case where some people are at the top of their present classification and in order for someone to give them a raise, we have to reclassify them. The scenic committee is not provided with \$10,000 for a program of education, and neither is the University of Maine given a half million dollars to spend as it sees fit. Again, Veterans Affairs, we see reclassification.

Seventy-three and one half new employees that will come back in Current Services Budget next year and make it much larger than the present all out of balance \$143 million. I had guessed that I might get thirty-eight or forty votes with this amendment. Perhaps at this point, it may be somewhat less. I suggest to you though that we have the possibility of saving the State nearly \$2.5 million, of then giving the Legislature the opportunity by the appropriate move to save some of that four per cent sales tax which we will be levying on a selective basis against every resident in the state. I doubt very much if there would be any need for anyone to speak against this. It is perhaps dead before it was offered. I felt though that I owed the responsibility to each and every citizen of Maine to suggest to this House of Representatives that it might be the time and the place to start saving money.

Your Appropriations Committee has seen fit not to report this out in new draft with the emergency preamble or the emergency enacting clause for one or two reasons. Either that the funds are not necessary until ninety days after the Legislature adjourns, or that they were darned sure that two-thirds of this House of Representatives would not be talked into such a gullible program. I hope that the motion to indefinitely postpone is not made, for I think this can rise and fall on merely the motion to accept or adopt the amendment.

The SPEAKER: The Chair will interrupt debate for a moment this morning as the Chair recognizes in the Hall of the House, a distinguished Maine citizen, a former President of the Senate and former Governor of the State of Maine; and the Chair would request the Sergeant-at-Arms to escort to the rostrum the Honorable Horace A. Hildreth.

Thereupon, the Honorable Horace A. Hildreth was escorted by the Sergeant-at-Arms to the rostrum amid the applause of the House, the members rising.

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

Mr. WELLMAN: Mr. Speaker, Ladies and Gentlemen of the House: It is impossible for me to keep in mind all the thoughts that the gentleman from Wiscasset has made in his stirring address. I am, however, going to move that we indefinitely postpone this amendment. I think that it would be foolish for me, not having been on the Appropriations Committee, not having heard the testimony of the various persons who came before the Appropriations Committee, to comment individually as the gentleman from Wiscasset has done. I did do a little quick arithmetic here and it does occur to me that approximately some forty-three per cent of this Supplemental Budget is devoted to Education. This is important in that it is providing for the facilities, and for the ability of persons to educate our youth. I know that the Appropriations Committee has added to and has, as was pointed out to you earlier, considerably deleted what was recommended by the Executive. I would leave it to others to comment on individual items. We have already commented on some today. The Mental Health and Corrections Department, I have received a note concerning the mental health program from a gentlewoman in the Bangor area who is protesting that only \$20,000 has been added to the community mental health program and which the question of the \$20,000 was transferred from Education to Mental Health and

Corrections as the trainables are being transferred.

This is in a position in which the long suffering members of the Appropriations Committee whatever they do is apparently going to be wrong. I suggest to you that they have done a good job. They have done the very best that they felt they could do. I urge each and every one of you to vote "Yes" to the indefinite postponement of the motion from the gentleman from Wiscasset.

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

Mr. PLANTE: Mr. Speaker, I feel that little debate is needed on this amendment. It presents a clear choice. Either you accept House Amendment "H" as the Supplemental Budget, or you support for the most part L. D. 1536. I personally feel that House Amendment "H", as a Supplemental Budget, is not adequate, and I will support the motion for indefinite postponement.

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

Mrs. SMITH: Mr. Speaker and Members of the House: I certainly would hope that the indefinite postponement of this amendment would be accepted by this House. I don't believe that we are at the point where we want to accept the Supplemental Budget of only these two items, and at the moment I am not sure what would happen to the amendments to it that have been passed by this House this morning. I think they would be out, but they might not. If they weren't, we would be in a position of accepting amendments of which the Appropriations Committee did not approve and turning down those which we have worked on, not that we are a law unto ourselves, but I assure you that we have worked very hard on this Budget. Perhaps in many cases, we have cut a lot below what some of us thought we should. Perhaps some of us would have cut in some other area, but I am sure, at least for my part, that I am not ready to take out all of the items in this Supplemental Budget for the state teachers colleges and for the University

of Maine, and in many other items, that are in this Budget.

I have before me and can go through with you what each item in this Budget does and why we went along with it. I don't believe that you want me to take that much time, but I can factually present to you exactly what each item does and then I would be perfectly happy to have it rise and fall on its own merits. I hope that you will go along with the indefinite postponement of this amendment.

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

Mr. ANDERSON: Mr. Speaker, I note that there are a great many legislators absent from the House. I would ask the Speaker if he would ring the bell so they can vote on this important question.

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

Mr. PIERCE: Mr. Speaker, on the motion to indefinitely postpone, I request a division.

The SPEAKER: A division has been requested.

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

Mr. EASTON: Mr. Speaker, this is going to be one of the votes of which I am perhaps most proud in this session, and for this reason, I would ask for a roll call vote.

The SPEAKER: A roll call has been requested.

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

Mr. WELLMAN: Mr. Speaker, I would like to clarify the effect of your vote for or against my motion. As I understand it, if you vote "No," if you vote against me, you are then voting against everything that we have done this morning. You have voted against 1586 with the exceptions listed on Filing H-442. If you vote "Yes," and vote with me, then you are voting for 1586, and the amendments that we have adopted this morning. Thank you.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I have never heard a

clearer dictation on how to vote than we just heard now from the gentleman from Bangor, Mr. Wellman. Let me tell you, that if you want to vote on something that is definitely going to increase the Current Services Budget of two years from now, then you want to vote against the indefinite postponement of this. We have already in the Current Services Budget voted through something like \$15 million more than the combined Current Services Budget and Supplemental Budget of two years ago. You vote through this here and two years from now, this will be added on to the Current Services Budget plus probably a lot more; and most of us in this House have been asking questions from time to time as to where this spiraling was going to stop. But whenever we are given an opportunity to stop it, it seems that we say this is not the place.

We have this amendment "H" before us which would do as has already been said, give education all that is needed for the payment of subsidies, and the state employees. We will not be cutting services in any sense if we vote against this Supplemental Budget. All the services that are being offered now, will continue to be offered plus \$15 million. So if we want to vote for an increase in two years, then the thing to do is vote against the indefinite postponement of this Amendment "H." But if we are interested in trying to hold the line two years from now, then we want to adopt House Amendment "H."

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

Mrs. SMITH: Mr. Speaker, I would like to rise to the defense of the Representative from Bangor, Mr. Wellman. I am quite sure that he did not intend to dictate to you, but he wanted you to understand how to vote and to understand how you would vote because this becomes a little complicated. And I would again remind you that if this amendment is accepted, these are the only two items that will be in the Supplemental Budget, and though you have disagreed with the Ap-

propriations Committee many times and you should, you have added to the budget this morning rather than have taken away from it. Those amendments will go with the Budget that we brought out, and you will have left only these two items. We just want you to understand that that is what you are voting on.

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

Mr. PEASE: Mr. Speaker, I would only compliment the gentleman from Bangor, Mr. Wellman for his explanation, and would reiterate to the members of the House here present as they are about to vote on this, that if the House Amendment "H" is adopted, you will be voting against the amendments you have already passed concerning the Home at Bath, concerning the Sea and Shore Fisheries monies, and concerning, I believe, monies for vocational rehabilitation. When this amendment was drafted, it was not known as to what the House or how the House would feel on individual items, and that was one of the purposes for drafting this amendment. If it is accepted then we can discuss individual items. We can discuss individual amendments to perhaps this or to the new Supplemental Bill. If you want to buy the Bath Home, the Sea and Shore Fisheries money and the Vocational Rehabilitation, then if you then want to put in \$210,000 in the second year of the biennium for a bond issue or an estimated bond issue which neither you nor I have seen, then that is all right. But I am only trying to suggest to you that these two items are the ones that I feel are most important in the Supplemental, the ones that perhaps we can buy without a tremendous expenditure in this and in future years; and that if there are individual members of the House that have other particular strong feelings regarding individual items, then we might take them up. I would suggest that this legislative session, or that we, as Representatives here of the people, have the time and should take the time to consider these

item by item and not as a complete package which is being thrust at us on a warm and muggy day.

I would have, had the gentleman from Winterport, Mr. Easton, not have, I would have asked for a roll call so that each of the taxpayers, residents, citizens of the State of Maine, might see how you and I and all of us vote on this question of increasing the state's spending beyond the Current Services by approximately \$3.4 or \$3.5 million. I would suggest that you take this into consideration when you vote, and urge you to vote "No" on the motion to indefinitely postpone. I yield to the gentleman from Lewiston, Mr. Jalbert.

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

Mr. EASTON: Mr. Speaker, everyone has been explaining to the House it seems the import of this vote and what it means. I would like to toss out one further explanation. We are in essence, I suggest, voting on whether or not the next Legislature will be forced to pass either a five percent sales tax or an income tax or something equally inequitous. With the Current Services Budget already passed, the Supplemental Budget we have before us and the L.D.'s now piling up across the hall, it is very very likely that every nickle to be brought in by our four percent sales tax—which it appears we are probably going to have—is going to be spent. I can assure you, ladies and gentlemen of the House, that the next Legislature will be faced with a certainty of at least educational subsidies under existing law going up eight or eight and one-half million dollars. That, plus the other built-in increases in other departments, will force us, unless we make some cuts and make them here and now, will force us to another major tax two years hence. I am not prepared to require the next Legislature to face this decision.

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

Mr. JALBERT: I merely was going to get up, Mr. Speaker and Members of the House, and say how much I admire the gentleman from Wiscasset, Mr. Pease. I can remember when he was here as a Page Boy, he was then very, very, very, very young.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Bangor, Mr. Wellman, to indefinitely postpone House Amendment "H." A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one-fifth of the membership present. All those desiring a roll call, will please rise and remain standing until counted.

A sufficient number arose.

The SPEAKER: Obviously, more than one-fifth having arisen, a roll call is ordered. The Chair will restate the question. All those in favor of indefinite postponement of House Amendment "H," will answer "Yes" when their names are called. All those opposed to the indefinite postponement of House Amendment "H," will answer "No" when their names are called. The Clerk will call the roll.

ROLL CALL

YEA—Albair, Anderson, Orono; Bedard, Benson, Berry, Birt, Braeden, Bragdon, Brown, So. Portland; Carter, Cartier, Childs, Choate, Cope, Cottrell, Crockett, Curtis, Davis, Edwards, Ewer, Gifford, Gilbert, Gill, Giroux, Hanson, Hardy, Hawkes, Hendricks, Hendsbee, Henry, Hobbs, Humphrey, Hutchins, Jalbert, Jones, Kilroy, Libby, Lincoln, Littlefield, Lowery, MacPhail, McGee, Meisner, Mendes, Minsky, Mower, Oakes, O'Leary, Osborn, Pierce, Plante, Prince, Harpswell; Rand, Rankin, Richardson, Ricker, Ross, Augusta; Ross, Brownville; Rust, Shaw, Smith, Bar Harbor; Smith, Falmouth; Thaanum, Thornton, Townsend, Treworgy, Tyndale, Wade, Wellman, White, Guilford; Whitney, Wight, Presque Isle; Wood, Young.

NAY — Anderson, Ellsworth; Ayoub, Baldic, Beran, Bernard,

Binnette, Blouin, Boothby, Bourgoin, Brown, Fairfield; Bussiere, Chapman, Cookson, Cote, Cressey, Crommett, Denbow, Dennett, Dostie, Dudley, Dunn, Easton, Finley, Foster, Gallant, Gustafson, Hammond, Harrington, Jameson, Jewell, Karkos, Kent, Laughton, Lebel, Levesque, Linnekin, MacLeod, Mathieson, Nadeau, Norton, Osgood, Pease, Philbrick, Pitts, Poirier, Prince, Oakfield; Reynolds, Roberts, Roy, Sahagian, Scott, Smith, Strong; Snow, Susi, Taylor, Vaughn, Viles, Waltz, Watkins, Williams.

ABSENT—Boissonneau, Brewer, Burns, Coulthard, Drake, Jobin, Knight, MacGregor, Maddox, Noel, Oberg, Tardiff, Turner, Ward, Waterman, Welch.

Yes, 74; No, 60; Absent, 16.

The SPEAKER: Seventy-four having voted in the affirmative, sixty having voted in the negative, with sixteen being absent, the motion to indefinitely postpone House Amendment "H" does prevail.

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

Mr. JALBERT: Mr. Speaker, did you say that the motion does prevail?

The SPEAKER: The motion to indefinitely postpone does prevail.

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

Mr. WELLMAN: Mr. Speaker, I now move that Legislative Document 1586 be passed to be engrossed.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, now moves that item one, Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1964 and June 30, 1965," House Paper 1105, Legislative Document 1586, be passed to be engrossed.

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

Mr. MACLEOD: Mr. Speaker, would it be all right to ask for a division on that?

The SPEAKER: Does the gentleman request a division?

Mr. MACLEOD: I do.

The SPEAKER: A division has been requested. This Bill having had its three—

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

Mr. PEASE: Mr. Speaker, my apologies to the House, but other matters kept me coming and going this morning. Am I correct that there are three amendments that have been adopted this morning?

The SPEAKER: The Chair will inform the gentleman that he is correct.

Mr. PEASE of Wiscasset: I now move that this be passed to be engrossed as amended by those three amendments.

The SPEAKER: This bill having had its three several readings and the Committee on Bills in the Third Reading having reported that no further verbal amendments are necessary, is it now the pleasure of the House that it be passed to be engrossed as amended? A division has been requested. All those in favor, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-nine having voted in the affirmative and forty-nine having voted in the negative, the motion did prevail and the Bill was passed to be engrossed as amended by House Amendments "A," "C," and "E" and sent to the Senate.

(Off Record Remarks)

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

Mr. WELLMAN: Mr. Speaker, I move that we recess until three o'clock this afternoon.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, moves that the House recess until three o'clock this afternoon.

Mr. ANDERSON of Ellsworth: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman arise?

Mr. ANDERSON: I would like to ask for a roll call on the last question.

The SPEAKER: The Chair will question the gentleman from Ellsworth as to the pertinency of his question. What did the gentleman wish the roll call to be taken on?

Mr. ANDERSON: To have it a matter of public record.

The SPEAKER: Which question?

Mr. ANDERSON: The last question on the engrossment.

The SPEAKER: For the information of the House, the roll call request is for the Bill's passage to be engrossed. All those desiring a roll call, will please rise and be counted.

An insufficient number arose.

The SPEAKER: Obviously, less than one-fifth having arisen, a roll call is not ordered.

Amended Bills

Bill "An Act to Reactivate Maine Committee on Problems of the Mentally Retarded" (S. P. 203) (L. D. 513)

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 on motion of Mr. Wellman of Bangor, sent forthwith to the Senate.

Bill "An Act relating to Appeals from Registrars of Voters" (S. P. 472) (L. D. 1324)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Senate Amendment "B" and on motion of Mr. Wellman of Bangor, sent forthwith to the Senate.

Bill "An Act to Revise the Boating Law and Extend Boat Registration and Safety Law to Cover Coastal Waters" (S. P. 585) (L. D. 1542)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Senate Amendments "A" and "B" and on motion of Mr. Wellman of Bangor, sent forthwith to the Senate.

(Off Record Remarks)

The SPEAKER: The motion now before the House is to recess until three o'clock. Is that the pleasure of the House?

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

Mr. JALBERT: Mr. Speaker, the time of adjournment is debatable, is it not?

The SPEAKER: That is correct.

Mr. JALBERT: I for one knew nothing about this meeting of the Appropriations Committee before or after this session for that matter. Some of us here have to travel and a little later on, we do have things to do, and I would suggest that the motion to—

The SPEAKER: The House will be at ease for a moment.

(House at Ease)

Called to order by the Speaker. On motion of Mr. Wellman of Bangor,

Recessed until two o'clock this afternoon.

After Recess
2:00 P.M.

The House was called to order by the Speaker.

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

An ACT Continuing the Committee on Aging. (S. P. 384) (L. D. 1087)

Tabled—June 5, by Mr. Childs of Portland.

Pending—Passage to be Enacted.

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

Mr. JALBERT: Mr. Speaker, I have cleared the action I will take with the gentleman from Hodgdon, Mr. Williams, the gentleman from Norway, Mr. Chapman, and the gentleman from Ellsworth, Mr. Anderson. I propose to present an amendment that would strike out the \$13,000 and \$15,000 a year and make this committee one of \$5,000 a year, strike out the emergency, which would bring down the amendment another \$1600 for the first year of the biennium—\$1250 I mean, and also make this committee come to an end at the end of a biennium; so where I have cleared this with these gentlemen, for that purpose, I now ask that the House under suspension of the rules reconsider its action whereby this bill was passed to be engrossed.

Thereupon, the rules were suspended on a viva voce vote and the House voted to reconsider its action whereby the bill was passed to be engrossed on March 29.

Mr. Jalbert offered House

Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to S. P. 384, L. D. 1087, Bill, "An Act Continuing the Committee on Aging."

Amend said Bill by striking out all of the emergency preamble.

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

Sec. 1. Committee on Aging created. The Governor, with the advice and consent of the Council, shall appoint a Committee on Aging of 13 members. The Governor shall designate the chairman. All members shall serve until their successors are appointed and qualified. The various state departments shall assist the committee in the furtherance of its duties.

Sec. 2. Duties. The Committee on Aging shall base its activities and fields of interests on the findings of the White House Conference.

It shall continue the study of the problems of Maine's aging population and shall provide leadership and stimulation at the state level in developing solutions for these problems.

It shall assist in organizing local committees on aging.

The committee is authorized to employ with the Maine Committee on Children and Youth, under the Personnel Law, such staff as may be necessary to carry out its duties and activities. Such staff shall act as the staff for this committee and the Committee on Children and Youth. Costs and services of such staff shall be shared equally between the committees.

The committee is authorized to appoint subcommittees.

The committee is authorized to employ consultants and to contract for such projects as it deems necessary.

Sec. 3. Meetings; expenses. Said committee shall meet at the call of the chairman, and not less than 6 times during the biennium. The members shall be paid neces-

sary expenses incurred in the performance of their duties.

Sec. 4. Federal grants. The Treasurer of State shall be the appropriate fiscal officer of the State to receive federal grants on account of administration of said committee and the State Controller shall authorize expenditures therefrom as approved by the committee.

Sec. 5. Activities. During the biennium the committee shall direct itself toward the holding of a state conference for the purpose of developing facts and recommendations and preparing a report of the findings for presentation to the Governor and the 102nd Legislature no later than January 2, 1965.

Said committee shall publish a directory of services available for older people. It shall continue to publish a newsletter periodically.

The committee shall continue to serve as a clearing house for information regarding problems of the aging.

Sec. 6. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund the sum of \$3,750 for the fiscal year ending June 30, 1964 and the sum of \$5,000 for the fiscal year ending June 30, 1965, to carry out the purposes of this act.

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

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

Bill "An Act Providing for Public Facilities for Boats." (H. P. 1097) (L. D. 1573)

Tabled—June 5, by Mr. Williams of Hodgdon.

Pending—Motion of Mr. Viles of Anson to Indefinitely Postpone.

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

Mr. WILLIAMS: Mr. Speaker, I move the pending question.

The SPEAKER: The gentleman from Hodgdon, Mr. Williams, moves the pending question which is the motion of the gentleman from Anson, Mr. Viles, that this bill be indefinitely postponed.

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

Mr. LITTLEFIELD: Mr. Speaker, as a signer of the unanimous "Ought to pass" Report of this bill, I would like to state my position. Something should be done about boat launching ramps, roads to ponds and so forth, and I believe we should make the start when we have men ready and willing. May I remind you that no \$10,000 or \$15,000 survey has been made to get this bill before us. Representative Jobin, the gentleman from Rumford, and Representative Gilbert, the gentleman from Eddington, have done the work. They are ready to explain the bill and I am convinced that it is a good bill, and I would oppose the motion to kill the bill.

The SPEAKER: The Chair recognizes the gentleman from Eddington, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker, I am opposed to the indefinite postponement of this bill because I too believe it is a good bill. However, I would like to point out to the House that it still is not in proper form, and that an amendment has been proposed by the sponsor who is not present here today which will correct the deficiencies in the existing draft, and I would most certainly hope that somebody would table this until the next legislative day.

Thereupon, on motion of Mr. Littlefield of Hampden, the Bill was tabled pending the motion of Mr. Viles of Anson, to indefinitely postpone, and specially assigned for tomorrow.

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

Bill "An Act to Expand Powers of Soil Conservation Districts." (S. P. 603) (L. D. 1570) — Amendment Filings (S-255) (S-258)

Tabled — June 5, by Mr. Tyndale of Kennebunkport.

Pending — Passage to be Engrossed.

Thereupon, the Bill was passed to be engrossed as amended by Senate Amendments "A" and "B" and sent to the Senate.

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

HOUSE JOINT ORDER Recalling from the Legislative Files Bill "An Act Eliminating Certain Exemptions under Sales Tax Law." (H. P. 513) (L. D. 715)

Tabled — June 6, by Mr. MacLeod of Brewer.

Pending — Passage.

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

Mr. WELLMAN: Mr. Speaker, I move this order be indefinitely postponed.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, moves this House Joint Order be indefinitely postponed.

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

Mr. MacLEOD: Mr. Speaker, Ladies and Gentlemen of the House: I put this order in at the request over the last several weeks from several members of this House who felt that there should be another vehicle available for use in funding the requirements of the current services supplemental budget and L. D.'s. I don't feel very kindly towards this bill now. I don't feel very kindly towards any major tax bill. I would probably vote against this as I will probably vote against the sales tax, but I did put the order in so that if some people in the House felt they wanted to use it, use all or part of it, it would be available.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Bangor, Mr. Wellman, that this Joint Order be indefinitely postponed. All those in favor of indefinite postponement will say yes, those opposed, no.

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

Sixty-eight having voted in the affirmative and forty-two having voted in the negative, the motion did prevail.

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

Bill "An Act Revising the Administrative Code." (H. P. 922) (L. D. 1356) In House Engrossed with Committee "A" (L. D. 1572) — In Senate Engrossed With Committee "A" as Amended by Senate "A" Thereto (S-268)

Tabled — June 5, by Mr. Rust of York.

Pending — Further Consideration.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: As most of you know, this bill is a merger of the hearings officer under the liquor licensing provisions of the law and also the administrative code. In merging those two laws it is apparent that there have been some technical errors made which need correcting. For the purpose of presenting an amendment to correct those technicalities, I would now move that the House recede from its former action whereby it passed this bill to be engrossed as amended by Committee Amendment "A", and recede from its action whereby it adopted Committee Amendment "A", and concur with the Senate in adopting Senate Amendment "A" to Committee Amendment "A."

The SPEAKER: Does the gentleman have his motion reproduced?

Mr. RUST: Right here.

Thereupon, the House voted to recede from its former action whereby the bill was passed to be engrossed as amended by Committee Amendment "A" and to recede from its action whereby it adopted Committee Amendment "A" and to recede from its action whereby it adopted Committee Amendment "A," and to concur with the Senate in the adoption of Senate Amendment "A" to Committee Amendment "A".

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

The SPEAKER: The Chair would inform the gentleman we receded from the adoption of Committee Amendment "A". Does the gentleman now move the indefinite postponement of Committee Amendment "A" or the adoption of it?

Mr. RUST: No, we must have the adoption of Committee Amendment "A."

Thereupon, the House voted to concur in the adoption of Committee Amendment "A" as amended by Senate Amendment "A" thereto.

Thereupon, the House voted to reconsider its action whereby it adopted Committee Amendment "A."

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 922, L. D. 1356, Bill, "An Act Revising the Administrative Code."

Amend said Amendment by inserting after the 5th amending paragraph, the following:

"Further amend said Bill in that part designated "Sec. 5." of section 8 by inserting after the word "agency" in the 2nd line the underlined punctuation and words 'except the Liquor Commission,'"

Further amend said Amendment in the 13th amending paragraph by striking out all of that part designated "Sec. 10-A." and inserting in place thereof the following:

"Sec. 10-A. Limitation. In any conflict between this chapter and chapter 61, the provisions of chapter 61 shall prevail."

Further amend said Amendment in the 18th amending paragraph by striking out in the 4th, 5th and 6th lines the words and punctuation "and by striking out in the 2nd line of subsection III the underlined word "Officer" and inserting in place thereof the underlined word "Commissioner";" and inserting in place thereof the following words and punctuation 'and by striking out in the 2nd and 3rd lines of subsec-

tion III the underlined words "the Hearing Officer may do so or"'

Further amend said Amendment in the 19th amending paragraph by striking out all of that part designated "Sec. 16." and inserting in place thereof the following:

"Sec. 16. R. S., c. 61, Sec. 56-A, amended. The first paragraph of section 56-A of chapter 61 of the Revised Statutes, as enacted by section 6 of chapter 410 of the public laws of 1957, is amended to read as follows:

'A full and complete record shall be kept of all proceedings had before the Hearing Examiner on the revoking and suspending of any license issued by the commission, but the Hearing Examiner need not have a transcript of the testimony prepared unless required for rehearing or appeal.'

Further amend said Amendment in the 19th amending paragraph by striking out all of that part designated "Sec. 17."

House Amendment "A" to Committee Amendment "A" was adopted.

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

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

Resolve Authorizing the Establishment of a Residential and Day School for the Mentally Retarded in Northern Maine." (H. P. 416) (L. D. 569)

Tabled — June 5, by Mr. O'Leary of Mexico.

Pending — Passage to be Engrossed.

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

Mrs. SMITH: Mr. Speaker and Members of the House: I now move the indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The gentlewoman from Falmouth, Mrs. Smith, moves

the indefinite postponement of this Resolve.

The Chair recognizes the gentleman from Presque Isle, Mr. Osborn.

Mr. OSBORN: Mr. Speaker, for the purpose of introducing House Amendment "C" filing H-425, which will further reduce the sum asked for, in House Paper 416, L. D. 569, I now move Committee Amendment "A" filing H-408 be indefinitely postponed.

The SPEAKER: For the information of the House and the gentleman, several House Amendments have been presented but none have been adopted, so the pending question is the motion of the gentleman from Falmouth, Mrs. Smith, to indefinitely postpone the resolve.

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

Mr. EDWARDS: Mr. Speaker, I do not feel that this bill should be indefinitely postponed. I think that this bill has a lot of merit; that it is something that can be very useful to the people in the northern part of our state; that this would be a trial to see if this would work out to advantage. It might mean that we would not have to continue to increase our building in institutions such as Pineland. I have also been told that this is something that has been started in — something like this, in other parts of the Country, and it is working there to the benefit of all concerned, and I certainly hope that you will not indefinitely postpone this bill.

Mr. Osborn of Presque Isle offered House Amendment "C" and moved its adoption.

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

HOUSE AMENDMENT "C" to H. P. 416, L. D. 569, Resolve, Authorizing the Establishment of a Residential and Day School for the Mentally Retarded in Northern Maine.

Amend said Resolve by striking out all of the emergency preamble.

Further amend said Resolve in the 6th paragraph by striking out in the 3rd and 4th lines the words and figures "the sum of \$179,852 for the fiscal year ending June 30, 1964 and \$156,830" and insert-

ing in place thereof the word and figure 'the sum of \$127,185'

Further amend said Resolve by striking out all of that part designated the schedule and inserting in place thereof the following schedule:

		'1964 - 65
Personal Services	(17)	\$62,185
All Other		35,000
Capital Expenditures		30,000
Total		<u>\$127,185'</u>

Further amend said Resolve by striking out all of the emergency clause.

The SPEAKER: Is it the pleasure of the House to adopt House Amendment "C"? All those in favor of the adoption of House Amendment "C" will say yes; those opposed, no.

A viva voce vote being taken, House Amendment "C" failed of adoption.

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

Mr. MacPHAIL: Mr. Speaker, this matter was discussed at some length last week, and I am wondering if we fully realize what is involved if this is permitted to pass. In considering this Resolve, we are dealing in a highly emotional area, one in which we may too often permit our emotions to cloud our better business judgment, when we are considering the mentally retarded, the young, the old, the inmates of our penal institutions, the recipients of A. D. C. and many others in the field of welfare. This is an area which takes one of the largest bites out of our tax dollar and while we do have a certain amount of responsibility to these unfortunates, we also have a definite responsibility to the taxpayers of Maine, and while we are thinking of the people who are to pay the bills, let us take a look at what this Resolve asks them to do. It asks them to provide \$336,682.00 in the next two years to take care of fifty retarded children. This is at the rate of \$3,361.00 per year for each child. They could be accommodated in private schools for less than that, or for the same price, each

one could have a personal tutor. Is this what we, as elected representatives, are supposed to saddle our constituents with? I think not.

What then is the alternative? Very simple. In Knox County we have at least two classes of fifteen each in our public school system, each with a specially assigned teacher, which represents an overall cost of \$400.00 per pupil. This is a long way from almost three and one-half thousand that this Resolve would require. Sixty such classes are now being conducted over the state in a perfectly satisfactory manner.

Let us consider the taxpayer just once, the fellow who placed his confidence in us when, by his ballot, he sent us here to represent him in the making of laws for his benefit.

I therefore move the motion to indefinitely postpone.

The SPEAKER: Is the House ready for the question? The Chair will order a division.

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

Mrs. SMITH: Mr. Speaker and Members of the House: I will once again perhaps bring to your attention what this bill really means, and I think the gentleman from Owl's Head, Mr. MacPhail, has pointed out many of the things to you. I think from the amendments that are around here you have some idea of what this program can go to. I think you have some idea of what this bill has in mind, and I think it might well be pointed out to you if you look at some of these amendments that this could well go to almost any amount of money per year in the future. I do hope you will go along with the "Ought not to pass" of the majority of the Appropriations Committee, and I do say to you the majority.

The SPEAKER: The question before the House is the motion of the gentlewoman from Falmouth, Mrs. Smith, that this Resolve be indefinitely postponed.

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

Mr. McGEE: Mr. Speaker and Members of the House: Last week when this bill was before us I spoke

a little on it. Now I am somewhat confused, and I think the members of this House are, just what mentally retarded means. Mentally retarded means slow learners or pupils who cannot grasp certain subjects. This thing is being taken care of in our regular grades in the town and city schools. I think it is a local matter, and if we go make a special effort for one division of the state or one county of the state, it simply means in a short time that there will be fifteen other requests; and if these children are beyond the stage of being mentally retarded, we have institutions already prepared for them. I think we should go along with the motion for indefinite postponement.

The SPEAKER: All those in favor of indefinite postponement of Resolve Authorizing the Establishment of a Residential and Day School for the Mentally Retarded in Northern Maine," L. D. 569, will please rise and remain standing in your places until the monitors have made and returned the count.

A division of the House was had.

Eighty-five having voted in the affirmative and thirty-five having voted in the negative, the Resolve was indefinitely postponed and sent up for concurrence.

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

Senate Majority Report (8) — Ought not to pass — Minority Report (7) — Ought to pass with Committee Amendment "A" (S-275) — Committee on Constitutional Amendments and Legislative Reapportionment on RESOLVE Proposing an Amendment to the Constitution Forbidding Discrimination Against Any Person because of Race, Religion, Sex or Ancestry." (S. P. 527) (L. D. 1448)

Tabled — June 7, by Mr. Plante of Old Orchard Beach.

Pending — Motion of Mr. Pease of Wiscasset to Indefinitely Postpone both Reports and Bill.

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

Mr. PLANTE: Mr. Speaker, I move that item seven be tabled until later in today's session.

Mr. Rust of York asked for a division.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante moves that item seven be tabled until later in today's session. A division has been requested. All those in favor of tabling item seven until later in today's session, please rise and remain standing in your places until the monitors have made and returned the count.

A division of the House was had. Seventy-six having voted in the affirmative and twenty-six having voted in the negative, the matter was tabled pending the motion of Mr. Pease of Wiscasset to indefinitely postpone both Reports and Bill and specially assigned for later in the day.

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

HOUSE REPORT — Ought not to pass as covered by other legislation — Committee on Labor on Bill "An Act Repealing Certain Portions of the Employment Security Law." (H. P. 1) (L. D. 7) Tabled — June 6, by Mr. Curtis of Bowdoinham.

Pending — Acceptance of Report.

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

Mr. CURTIS: Mr. Speaker, I move that this be tabled until Thursday next.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, moves that this matter be retabled until Thursday. For what purpose does the gentleman arise?

Mr. MENDES of Topsham: Mr. Speaker, to request a division.

The SPEAKER: A division has been requested on the tabling motion. All those in favor of tabling item eight until Thursday, please rise and remain standing —

For what purpose does the gentleman arise?

Mr. CURTIS of Bowdoinham: To speak.

The SPEAKER: To debate the time? The gentleman may not de-

bate the time. Does the gentleman wish to withdraw his motion?

Mr. CURTIS: No, I wish to debate the question.

The SPEAKER: The gentleman must withdraw his motion to table if he wishes to debate the subject matter of the bill, a tabling motion not being debatable.

Mr. CURTIS: I wish to withdraw it then.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, withdraws his tabling motion. The gentleman may proceed.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I suspected some time before we got through why this question would come up seriously. Now at the last session of the Legislature right along down near the end, there was a measure adopted, and it was so late we didn't get much time to work on it, which severely changed the law of the unemployment. Now this, as you notice, is House Paper 1, Legislative Document 7, and I think most everybody who knew anything about it promised the people that something would be done in regard to this so-called Estey Bill which would raise havoc with a great many laborers; and I am very sure that the Governor was in favor that something should be done. And something was done. And I am in favor of what was done — the House was in favor of it, but it got laid to rest over in the other end of the corridor.

Now my only thought in keeping this alive is that unless something is done with this labor bill, or some other bill, we would have something to go by. Now there are two other bills which — neither one of them are adopted, or if the Thaanum bill is resurrected and amendments put on it, I would be perfectly satisfied. But what I fear is that something — in our hurry to get done like we did the last time, why that we would overlook this serious situation which we find ourselves in. And that is the only reason that I wished this to be tabled. I trust that somebody will table it just for that reason. When this thing is

finally worked out, I will be the first to ask for indefinite postponement of this measure.

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

Mr. GIFFORD: Mr. Speaker, I move that this matter lie on the table until Thursday, June 13.

Mr. Mendes of Topsham asked for a division.

The SPEAKER: The gentleman from Manchester, Mr. Gifford, moves that this matter be retabled until Thursday, June 13. A division has been requested. All those in favor of tabling item eight until Thursday next, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-seven having voted in the affirmative and fifty-seven having voted in the negative, the motion to table did not prevail.

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

Mr. JALBERT: Mr. Speaker, I ask for a roll call.

The SPEAKER: A roll call has been requested on the tabling motion.

Mr. PLANTE of Old Orchard Beach: What is the maximum duration for tabling?

The SPEAKER: Two days.

Mr. PLANTE: Mr. Speaker, I move that this lie upon the table until tomorrow.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante, moves that item eight be retabled until tomorrow. A roll call has been requested for the two day tabling motion. For the Chair to order a roll call, it must have the expressed desire of one-fifth —

Mr. Jalbert of Lewiston then withdrew his request for a roll call.

The SPEAKER: The question now before the House is the motion of the gentleman from Old Orchard Beach, Mr. Plante, that item eight be retabled until the next legislative day. Is this the pleasure of the House?

Mr. Rust of York then asked for a division.

The SPEAKER: A division has been requested. All those in favor of tabling until the next legislative day, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-eight having voted in the affirmative and thirty-five having voted in the negative, item eight was retabled pending acceptance of the "Ought not to pass" Report and specially assigned for tomorrow.

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

HOUSE REPORT "A" (5)—Ought to pass in New Draft under new title of "An Act Amending the Charter of the City of Portland Relating to Imposition of a General Business and Occupation Tax." (H. P. 1094) (L. D. 1569) — Report "B" (5) — Ought not to pass — Committee on Taxation on Bill "An Act to Enable Municipalities to Impose a General Business and Occupation Tax." (H. P. 846) (L. D. 1233)

Tabled—June 6, by Mr. Libby of Portland.

Pending — Motion of Mr. Childs of Portland to Indefinitely Postpone both Reports and Bill.

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

Mr. LIBBY: Mr. Speaker and Members of the House: Yesterday I asked that the Legislative Research Committee study the municipal tax structure of the state to determine the most equitable tax sources which could be utilized to finance expenditures of municipalities, including but not limited to taxation of real estate and gross receipts taxes. And also at that time I offered a few remarks. In view of this, I move the pending question.

The SPEAKER: The gentleman from Portland, Mr. Libby, now moves that this matter be indefinitely postponed. Is this the pleasure of the House?

Mr. Childs of Portland then asked for a division.

The SPEAKER: All those in favor of indefinitely postponing item nine, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. One hundred thirteen having voted in the affirmative and three having voted in the negative, the Bill and accompanying papers was indefinitely postponed and sent up for concurrence.

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

Bill "An Act relating to Operating Business on Sunday and Certain Holidays." (H. P. 930) (L. D. 1364) — In House, House "C" (H-352) adopted and Bill Subsequently Indefinitely Postponed. In Senate, Engrossed with Senate "A" (S-240) in Non-Concurrence.

Tabled — June 6, by Mr. Pease of Wiscasset.

Pending — Motion of Mr. Wellman of Bangor to Recede and Concur.

The SPEAKER: The Chair recognizes the gentleman from Windsor, Mr. Choate.

Mr. CHOATE: Mr. Speaker, I move that we adhere.

The SPEAKER: The gentleman from Windsor, Mr. Choate, moves that the House adhere. The pending question is to recede and concur, which has precedence.

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

Mr. WELLMAN: Mr. Speaker, I don't wish to debate this matter any more, but I would only call to the attention of the members the absence of the gentleman from Wiscasset. I will make no motion.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Viles.

Mr. VILES: Mr. Speaker, I move that this bill be tabled until the next legislative day.

The gentleman from Anson, Mr. Viles, moves that item ten be tabled until the next legislative day. Is this the pleasure of the House?

(Cries of "No.")

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

A viva voce vote being taken, the tabling motion did not prevail.

The SPEAKER: The pending question is to recede and concur.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I rise in opposition to the motion of the gentleman from Bangor to recede and concur. I feel that the House should adhere to its action in indefinitely postponing this bill.

I believe that the 100th Legislature did a good job on the general problem of Sunday sales, their solution being that of local option. It was a sound one, worked out after a lengthy debate and after much discussion; and this is our present law. Apparently it is working well because a good many of our communities have seen fit to approve it in either a minor form or in a full form. Our Maine Supreme Court has seen fit to approve local option; and since this law has been on our books for nearly two years, I don't think anyone here in this Legislature can say that the state has gone to the devil by local option. Further, this home rule provision of local option adequately takes care of the needs of the recreational and resort industries. In the interest of these industries, as one of our largest and most important in the state, it is of far greater importance to the overall economy of the state than the so-called interest of the downtown merchants in three of our cities, which gave birth to this mongrel bill which is before us this afternoon.

What will the MacGregor Bill do for our state and our recreational and resort industries? In my humble opinion, nothing, absolutely nothing but throw it into chaos. This bill as it now stands presents a most capricious basis of discrimination, stores of five thousand square feet or less or five employees or less. I represent a recreational community and, as you all know, the season is short. It is eight to ten weeks on the summer season. These businesses

have large investments, and they must produce a year's income over this short period of time. A seven-day business in the recreational field is not only a necessity, it is an economic must. It is a fact of life. The MacGregor bill as it is now written would close several business concerns in the recreational community which I represent due to the five thousand square feet limitation. Yet, stores of slightly smaller size on the same streets and the same general area selling the same goods could remain open on a Sunday. I don't think that this is particularly fair, and I would dare say that there are other communities throughout the state where stores of five thousand square feet or more would be closed, and where stores with six or seven employees would have to close.

My local Chamber of Commerce has seen fit to go on record in opposition to the MacGregor bill, and I might add that as a wide open resort community on Sunday sales, our churches on Sunday are filled with every service available during the tourist season. We are not being hurt in that regard one bit by so-called Sunday sales.

From the legal aspect of this bill, the Supreme Court of our state has said that if the Legislature in its judgment sees fit to make the ruling of five thousand square feet and five employees as a matter of public policy, that is all right, but they have not actually approved the bill as written in its total form; and I would like to quote you from their opinion where they say, "We cannot well anticipate all of the questions that could arise under the act in its present form."

I think that is a clear-cut warning that there are other things wrong with this bill, and to me the things that are wrong with this bill is the problem which our law enforcement officials are going to have in attempting to enforce five thousand square feet of sales area. How are the law enforcement officials going to prove whether a store has five thousand square feet more or five

thousand square feet or less? They have no legal right to enter upon any premises to take measurements. They cannot get a search warrant to come into these premises for these purposes, since the businesses are legitimate businesses and they are selling legitimate merchandise. To prove the five thousand square feet limitation, they would have to come in and make an engineering study of the whole building, all the storage spaces, all the nooks and all the crannies that are in a lot of stores, a lot of establishments to determine whether they had five thousand square feet or more; and this they cannot do because they would have no right to come in on the premises and do that.

Another example of establishments, another example of enforcement problems of this bill, is in the definition of establishments who are primarily selling. Now, primarily is a rather broad and loose word. Take for example the establishment engaged in primarily selling sporting equipment. Is primarily to be defined by the dollar volume that the store does in sporting goods as compared to the other types of items which it sells, or is it to be determined primarily by the number of items it sells in the sporting goods as opposed to the number of items it sells in other categories?

Now, I know of one particular case in York County of a so-called sporting store that is also engaged in the general business of selling clothing, boots and shoes. Many of you are perhaps aware of it, this is Tom Taylor's sporting goods store on the interstate highway in the Town of Kittery. If the weather is bad and sales of sporting equipment slacked off but the sales of clothing goods picked up, would the individual be in violation on that particular day because he sold primarily clothes and not primarily sporting equipment? Are we going to use the day, the week, the month or the year's business?

Ladies and gentlemen of the House, I feel that the existing law which is now on our books is a good law, it is a satisfactory law, it is working well and I would use

the oft quoted expression, "Let's not buy a pig in the poke," and I hope the motion to recede and concur does not prevail.

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

Mr. ROSS: Mr. Speaker, I heartily concur with the gentleman from York, Mr. Rust. I took these three so-called Sunday closing bills up with the official board of my church. They went over them at great length and they felt that the MacGregor bill was discriminatory. They weren't in favor of the Sunday afternoon bill; neither were they in favor of the Choate bill with everything open on Sunday. They gave me one argument to which I do not think there's a good refutation, and that is that under the present local option the people themselves have the say on whether their town is opened or closed on Sunday. Definitely I concur with Mr. Rust. I move for indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The gentleman from Brownville, Mr. Ross, now moves indefinite postponement of Bill, "An Act relating to Operating Business on Sunday and Certain Holidays."

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

Mr. RUST: Mr. Speaker, I would request a division on the motion of the gentleman from Brownville, Mr. Ross, and hope that his motion prevails.

The SPEAKER: A division has been requested. Is the House ready for the question?

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

Mr. COTTRELL: Mr. Speaker and Ladies and Gentlemen of the House: I am from Portland, and as a Representative I must report that I have not had anyone in Portland contact me in favor of any other bill except the MacGregor Bill. Now, I think maybe you've all read this report of the Supreme Court in answer to two specific questions. I am not a lawyer, and I think though that the Justices were very fair in having answered only two questions to say that they cannot well anticipate all of the questions that might arise under an untried bill, but those of

you who have read the paragraphs in the answer, the two answers, I think should be impressed by the fact that the thinking of the Supreme Court, though it's unbiased, indicates that this is a problem and that this general method of settling this problem is a legal one. And as a Representative of Portland, I must report, contrary to statements that have been made that this is a down-town inspired bill, that the two large discount houses in Portland, Arlyns and Zayres, are thoroughly behind this bill and that in addition to that, we have the backing of the Maine State Grocer's Association for this bill, and here is a letter that explains their position without any question of a doubt, and that includes our super markets, and also this is backed by the Maine Merchants Association. I certainly hope that this bill is not indefinitely postponed.

Gentlemen, we are dealing with a problem that is not a problem in our own state only, it is a problem which is being wrestled with by thirty-seven other states, and we in this, I believe, formula have come up with one of the best solutions that we could possibly have in a state like ours where there are so many stores depending for their livelihood upon summer business. Thank you.

The SPEAKER: The Chair would inform the House at this time of a procedural matter. The indefinite postponement motion was not in order, wherein on the disagreeing action of the Senate the House has already indefinitely postponed this bill. The motions in order would be to recede, to concur, to insist, or to adhere, and the current motion can be divided to recede and concur.

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

Mr. MCGEE: Mr. Speaker, Members of the House: I have canvassed my community of business men who will be affected by this bill, and I have found them practically unanimous for this bill from the beginning when it was introduced. Therefore, I feel it is my duty to support this bill on the motion to recede and con-

cur, and I hope that it won't be confused, deteriorated by a lot of amendments because I know some are proposed. Some don't apply to the bill, and some do. Some might be necessary. I hope we won't be confused by a lot of amendments. I practically made up my mind here in the House that it would be pretty near impossible to introduce Lincoln's Gettysburg Address in here without someone offering an amendment to it to see if they couldn't improve it, so I would suggest that we decide this bill on its merits and forget the amendments that may deteriorate from it.

The SPEAKER: The pending question is the motion of the gentleman from Bangor, Mr. Wellman, that the House recede and concur.

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

Mr. MacPHAIL: Mr. Speaker, I have been asked by three of the nation's largest merchandisers, as their representative, to support this bill, namely: Sears Roebuck, W. T. Grant and J. J. Newberry. They are all in favor of this, and I heartily concur in the motion to recede and concur.

The SPEAKER: The Chair recognizes the gentleman from Windsor, Mr. Choate.

Mr. CHOATE: Mr. Speaker, I too have done some canvassing over the state, and I haven't talked with as many of the merchants as I have with the people who buy from these merchants, and they feel that there shouldn't be any restrictions on where or when they buy their merchandise. They don't want to be restricted as to the store that has 5,000 square feet or one that has 5,001 square feet. They feel that they should have the right to buy when and where they wish.

We are here in this House voting to see whether we should increase our sales tax to 4 percent. Many who have opposed this tax, state that we will lose some of our business to our neighboring states as a result of this increase in tax. No doubt this is true to some extent, but what about the business, and I speak especially of the sum-

mer tourist business that will be lost if the MacGregor Bill becomes a law. We advertise and do everything possible to attract visitors to the state in hopes they will bring money into the state. Now we are trying to enact a law that will curtail the sales to our visitors. Where do you suppose these people will go when they find our large stores closed on holidays and Sundays? Will they return to this state next year? I think not. I especially emphasize holidays, since these days bring a great deal of money into the State of Maine by the summer tourists.

The small stores will endeavor to supply the people on Sunday and holidays a limited amount of merchandise, and this can be accomplished by the consumer traveling from one store to another, spending much time and money to meet his needs. This also can be very discouraging and will not help to retain our summer visitors.

It seems we do everything we can to attract business into this state, then on the other hand, we do everything we can to discourage them. Ladies and gentlemen, if this State of Maine is to be progressive, let's not enact laws to prohibit progress. I hope that when the vote is taken, it will be unanimous to kill the MacGregor Bill. Thank you.

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

Mr. RANKIN: Mr. Speaker, Ladies and Gentlemen: I have voted against the MacGregor Bill, but as many of you have, I have checked with people in the district I represent, and I find there isn't much opinion as to which bill they like. Now today, because neither bill will apparently hurt my district, I am going to vote for the MacGregor Bill, and unlike the gentleman from Auburn, I do like amendments. There is a amendment before you on your desk now which I may not discuss, Mr. Speaker, because it is not before the Floor, but on your desk you will find an amendment which some of you might favor.

I am going to go along today, ladies and gentlemen, with the MacGregor Bill, and I hope that if the bill is passed the amendment will go with it.

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

Mr. GILL: Mr. Speaker, I would like to thank Mr. Crockett for yielding. My only comment is, and I arise in support of the MacGregor Bill and to oppose the statement that the tourists will not come back to Maine if they can't shop and do just what they want to do. I contend, and I feel that the State of Maine is such a state that if they come up here, they will enjoy it, they will come back, and I don't believe the DED requires — gets too many questions as to whether they can shop, whether they can drink or what the sales tax is. I believe they like to come to the State of Maine because it is the State of Maine.

I would like to speak on behalf of the retail and the sales people of the State of Maine. Now, bear in mind, they are not part of management; they are the average working person, they have got a family. And I support this primarily because of the concept of a common day of rest and relaxation for the families. Well, you may say that that's not too important, but I contend with problems that we are faced today and with our youth and our juvenile, that the more guidance the children can have growing up and this certainly would be able and to give it to them a day with the family to be together, I believe that that is a strong reason for supporting this bill.

The SPEAKER: The Chair would inform the House that should the House vote to recede, amendments are in order, and the Chair will divide the pending motion.

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

Mr. CROCKETT: Mr. Speaker, I did not intend to say a word on this question today, on this amendment.

I am affiliated — most of you know the association that I have with discount stores. We in Brunswick Mill Outlet are ready to close our doors on Sunday. They have been closed for months, ever since the law went into effect, but under the referendum our competitors in two or three towns are open. I call that very unjust. Therefore, I am not going to hamper you. I support the MacGregor Bill for its principle.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I have not canvassed the industries in regards to stores, but they have canvassed me and they are all in favor of the MacGregor Bill. I voted against it last time, and they were not so happy with me. So I have made a little greater study of it. So let's face the situation really what the people are against in the MacGregor Bill and a lot that I was against before perhaps. I would like to see as one former man has said that the children who go to Sunday School and people who go to Church, probably they are getting fewer all the time, they would have a chance to do that. And I think under the MacGregor Bill, they would. But let's face the situation just what it is. Now these discount houses, what are they doing? They are putting a lot of good legitimate businesses out of business because they are so large, they go out and buy in such great volume that it makes it almost impossible for a small area to operate once they start in. Now that is the whole crux of the thing. If you want to see more of our businesses go down the drain, why you defeat this bill. If you want to see something fair and square in this great sales business that we have, why support the MacGregor Bill and I believe that will be helpful.

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

Mr. KNIGHT: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Wiscasset, Mr. Pease a few weeks ago raised cer-

tain constitutional issues concerning this bill. I had my doubts as to these issues. I introduced an Order in this House asking an Opinion from the Supreme Judicial Court of Maine. That Opinion has come back, and as you all know, the Supreme Judicial Court has stated that in its opinion as to these questions that were asked, the number of employees and the test as to the area of square feet, are both constitutional. Now these doubts have been cleared away, and I see no reason now to oppose this bill. I never did oppose it except I stated that I had my doubts, and those doubts having been dispelled, I move that you support the motion of the gentleman from Bangor, Mr. Wellman, to recede and concur. And when the time comes, vote in favor of the MacGregor Bill.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: The Supreme Court has also indicated that the existing law is constitutional. So don't let the argument that the proposed law has been declared to be legal, influence you against the preservation of the existing law. In the community from which I come and represent, a resort area, the existing law is perfectly satisfactory, and if we start legislating numbers, 5,000 may be all right now, the next session maybe 4,000 or 3,000. I urge you to support the sentiments as expressed by the gentleman from York, Mr. Rust and the gentleman from Brownville, Mr. Ross, and do not support the bill for 5,000 square feet.

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

Mr. JONES: Mr. Speaker, Ladies and Gentlemen of the House: I have a friend living in my area — not in my representative area, but nearby adjoining in a resort town. This young chap went to war and he fought a hard battle for all of us. Now after that, he came back and raised a family. He is in business in this resort town with his children and their wives, so that they number in excess of five. This is a family partnership venture. If we

change the laws other than what they are today, this individual and his family will be out of work because they need to have the Sunday business to make a living. The people who come to this resort area are in the hundreds, and they depend upon this merchant and his services for them to get their food to live on, communications and supplies. Therefore, I hope that we will kill the bill and retain the present law.

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

Mr. SMITH: Mr. Speaker, notwithstanding the fact that we may be misunderstood by the public, I wish to go on record as being in accord with the gentleman from York, Mr. Rust because this bill appears to be quite a discriminatory bill. It is almost a direct parallel with a bill that might be introduced by me stating that because my church is in the minority in numbers, therefore, we wish to make it so that a church with larger numbers could not hold services on Sunday. Mine might have more of a preference. That is what is being done by the businessman's bill. I do not think incentive to grow large should be frowned upon or legislated against. And while there may be reasons why this bill would be good, yet the overall effect, I think is bad and drastic. And these amendments that will be added if this bill gets a vote to recede, will throw us right back into the old arguments of Sunday liquor, etc., that we have previously defeated. I trust that we will vote against this motion to recede.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Bangor, Mr. Wellman, that the House recede from its former action whereby it indefinitely postponed this bill. All those in favor of receding, will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-five having voted in the affirmative and forty-nine having voted in the negative, the motion

to recede from indefinite postponement did prevail.

The SPEAKER: Now shall the House recede from indefinite postponement and the adoption of House Amendment "C"? Is it the pleasure of the House to recede from the adoption of House Amendment "C"? All those in favor will say aye; those opposed, no.

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

The SPEAKER: All those in favor of receding from the adoption of House Amendment "C," — now the question before the House is receding from the adoption of House Amendment "C." The House has adopted House Amendment "C." Now does the House wish to recede from the adoption of House Amendment "C"?

The Chair recognizes the gentleman from Eastport, Mr. MacGregor.

Mr. MacGREGOR: Mr. Speaker, may we request the Clerk to read House Amendment "C"?

The SPEAKER: The Clerk will read House Amendment "C."

The CLERK: House Amendment "C" was presented by Mr. Wellman of Bangor, reproduced and distributed under number H-352. And on May 9, was read and adopted. The amendment reads as follows:

HOUSE AMENDMENT "C" to H. P. 930, L. D. 1364, Bill, "An Act Relating to Operating Business on Sunday and Certain Holidays."

Amend said Bill in the 20th line of section 1 by adding after the underlined word and punctuation "**marinas**;" the underlined words and punctuation '**establishments selling boats, boating equipment and sporting equipment**;

Further amend said Bill in the 23rd line of section 1 by adding after the underlined word and punctuation "**facilities**;" the underlined words and punctuation '**real estate brokers and real estate salesmen**;

Further amend said Bill in section 1 by striking out lines 26 to 30 and inserting in place thereof the following: '**those sections have been met; stores wherein no more than 5 persons, including the proprietor, are employed in the usual and regular conduct of business;**

stores which have no more than 5,000 square feet of interior customer selling space, excluding back room storage, office and processing space.'

Further amend said Bill in section 1 by striking out all of the 5th underlined paragraph of that part designated "**Sec. 38.**"

Further amend said Bill in the 9th and 10th lines from the end of section 1 by striking out the underlined punctuation and words "**, a mayor or city manager, a city council or the board of selectmen of a town,**"

The SPEAKER: Would the House like to have the Clerk read Senate Amendment "A"?

Mr. JALBERT of Lewiston: Mr. Speaker, I would like to ask the question if this is the same as Senate Amendment "A," and if it is, shouldn't we recede and concur with the Senate—

The SPEAKER: The Clerk will inform the House relative to Senate Amendment "A." The Clerk will read it.

For the information of the House, the gentleman from Bangor, Mr. Wellman, moved that we recede from indefinite postponement and recede from adopting House Amendment "C," and to adopt Senate Amendment "A" instead. The Clerk will read the Senate Amendment.

The CLERK: Now the Senate Amendment has number S-240 and reads as follows:

SENATE AMENDMENT "A" to H. P. 930, L. D. 1364, Bill, "An Act Relating to Operating Business on Sunday and Certain Holidays."

Amend said Bill in the 20th line of section 1 by adding after the underlined word and punctuation "**marinas**;" the underlined words and punctuation '**establishments primarily selling boats, boating equipment, sporting equipment, souvenirs and novelties**;

Further amend said Bill in the 23rd line of section 1 by adding after the underlined word and punctuation "**facilities**;" the underlined words and punctuation '**real estate brokers and real estate salesmen**;

Further amend said Bill in section 1 by striking out lines 26 to 30 and inserting in place thereof the following: '**those sections have been met; stores wherein no more**

than 5 persons, including the proprietor, are employed in the usual and regular conduct of business; stores which have no more than 5,000 feet of interior customer selling space, excluding back room storage, office and processing space.'

Further amend said Bill in section 1 by striking out all of the 5th underlined paragraph of that part designated "Sec. 38.", which reads as follows:

"In addition to the penalty imposed by this section, all property and commodities exposed for sale on the Lord's Day or any of the aforementioned holidays in violation of this section may be forfeited. Upon conviction of the offender, the court may issue a warrant for the seizure of the forfeited articles, which when seized, shall be sold on one day's notice and the proceeds paid to the municipality in which the offending store is physically located for the use of the poor of that municipality."

Further amend said Bill in the 9th and 10th lines from the end of section 1 by striking out the underlined punctuation and words " , a mayor or city manager, a city council or the board of selectmen of a town."

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

Mr. KNIGHT: Mr. Speaker and Ladies and Gentlemen of the House: The order that sent this bill up to the Supreme Judicial Court for opinion sent up the MacGregor Bill so-called and Senate Amendment "A," and the opinion that was rendered covered the MacGregor Bill as amended by Senate Amendment "A." Therefore, I would urge you to indefinitely postpone the House Amendment and then adopt Senate Amendment "A."

The SPEAKER: Is it now the pleasure of the House to recede from its former action whereby it adopted House Amendment "C"?

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

Mr. TAYLOR: Mr. Speaker and Members of the House: I believe we are overlooking the portion of Senate Amendment "A" which makes

this bill a most dangerous bill. It was not the intention of the House when we accepted House Amendment "C" to the MacGregor Bill, that in case of violation that a storekeeper or storeowner would stand to have his property and all his merchandise confiscated and sold at public auction. Now this is what the Senate Amendment "A" does. House Amendment "C" does practically everything that Senate Amendment "A" does, but it does delete from the original MacGregor Bill that section which allows confiscation of property.

Now I believe, and I hope that most of the members here feel the same way, that confiscation of an entire merchandise in a store plus the property is too great a penalty for any merchant to have to pay for violation of any portion of this law. Now this more or less goes against general practice and general law enforcement of our general laws in this state. And for that reason I feel that Senate Amendment "A" is far too harsh and strongly recommend that we do not accept Senate Amendment "A," but go back and take House Amendment "C" and pass it in that form.

Now it has just been brought out that the Supreme Court ruled in favor of Senate Amendment "A." Now there is no reason why that House Amendment "C", having the same ingredients but deleting the confiscation of property, would not meet with the Supreme Court's approval. And I urge that House Amendment "C" be adopted.

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

Mr. WELLMAN: Mr. Speaker, if I may I would like to correct my good friend from South Portland in that Senate Amendment "A" does delete, it does delete the additional penalty imposed that he is talking about. It most specifically does delete it, sir. The Senate Amendment does delete it.

The SPEAKER: Is it the pleasure of the House to recede from the adoption of House Amendment "C"?

The motion prevailed.

The SPEAKER: Is it now the pleasure of the House to indefinitely postpone House Amendment "C"?

The motion prevailed.

The SPEAKER: Is it now the pleasure of the House to concur with the Senate in the adoption of Senate Amendment "A"?

The motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. MacGregor.

Mr. MacGREGOR: Mr. Speaker and Members of the House: I would now like to present House Amendment "E" to Senate Amendment "A" to L. D. 1364. The intent and purpose of the amendment is to correct the language of the bill as the bill was found by the Supreme Court in its initial study. This amendment is correcting by including the word "square" in square footage. This is filing number H-439. Thank you.

The SPEAKER: Is it now the pleasure of the House to reconsider the adoption of Senate Amendment "A"?

The motion prevailed.

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

HOUSE AMENDMENT "E" to SENATE AMENDMENT "A" to H. P. 930, L. D. 1364, Bill, "An Act Relating to Operating Business on Sunday and Certain Holidays."

Amend said Amendment in the 12th line by inserting after the underlined figure "5,000" the underlined word "square"

The SPEAKER: Is it now the pleasure of the House to adopt House Amendment "E" to Senate Amendment "A"?

The motion prevailed.

The SPEAKER: Is it now the pleasure of the House to adopt Senate Amendment "A" as amended by House Amendment "E"?

The motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Windsor, Mr. Choate.

Mr. CHOATE: Mr. Speaker, now I offer House Amendment "D" to House Paper 930, filing H-430. This amendment will clear up some of the confusion created by the other bills.

The SPEAKER: The gentleman from Windsor, Mr. Choate, now offers House Amendment "D". The Clerk will read the House Amendment.

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

HOUSE AMENDMENT "D" to H. P. 930, L. D. 1364, Bill, "An Act Relating to Operating Business on Sunday and Certain Holidays."

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

"R. S., c. 134, Secs. 38, 38-A, 38-B, repealed. Section 38 of chapter 134 of the Revised Statutes, as repealed and replaced by section 1 of chapter 362 of the public laws of 1961, section 38-A of chapter 134 of the Revised Statutes, as enacted by section 2 of chapter 362 of the public laws of 1961 and section 38-B of chapter 134 of the Revised Statutes, as enacted by section 2 of chapter 302 of the public laws of 1959 and as amended by section 3 of chapter 362 of the public laws of 1961, are repealed."

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

Mr. WELLMAN: Mr. Speaker, it appears to me that House Amendment "D" offered by the gentleman from Windsor, Mr. Choate, was before the Legal Affairs Committee under a different form. At that time it was nicknamed the "wide-open" bill. Mr. Speaker and ladies and gentlemen of the House, I suggest that this sleeper be put gently to rest. I move its indefinite postponement.

The SPEAKER: The Chair would question the members if there are any other amendments to be presented to the bill.

Thereupon, Mr. Wade of Skowhegan offered House Amendment "F" and moved its adoption.

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

HOUSE AMENDMENT "F" to H. P. 930, L. D. 1364, Bill, "An Act Relating to Operating Business on Sunday and Certain Holidays."

Amend said Bill by inserting after the enacting clause, the following sections:

"Sec. 1. R. S., c. 61, Sec. 27, amended. The first sentence of section 27 of chapter 61 of the Revised Statutes, as amended by chapter 311 of the public laws of 1959, is

further amended to read as follows:

'No liquor shall be sold in this State on Sundays and no licensee by himself, clerk, servant or agent shall between the hours of midnight and 6 A. M. sell or deliver any liquors, except no liquors shall be sold or delivered on Saturdays after 11:45 P.M.'

Sec. 2. R. S., c. 61, Sec. 27, amended. The first paragraph of section 27 of chapter 61 of the Revised Statutes, as amended, is further amended by inserting after the 3rd sentence, a new sentence, as follows:

'No liquor shall be sold in this State on Sundays, except that, subject to all the other provisions of this chapter, licensed hotels and class A restaurants may sell liquor on Sundays between the hours of 1 P.M. and 9 P.M. according to the time then prevailing in the State, provided such liquor is sold only in the dining rooms of said hotels and class A restaurants and only with food for which the purchaser is charged a total of \$2 or more per person.'

Further amend said bill by renumbering sections 1 and 2 to be sections 3 and 4.

The SPEAKER: The Chair recognizes the gentleman from Windsor, Mr. Choate.

Mr. CHOATE: Mr. Speaker, may I ask what happened to House Amendment "D"?

The SPEAKER: House Amendment "D" is still before the House.

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

Mr. EWER: Mr. Speaker, a parliamentary inquiry, is this House Amendment "F" germane?

The SPEAKER: Does the gentleman raise that question?

Mr. EWER: I do sir.

The SPEAKER: The gentleman from Bangor, Mr. Ewer, raises a question of germaneness.

To inform the gentleman, the Chair will rule because this deals entirely with the matter of doing business and selling merchandise on Sunday, the amendment is germane.

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

Mr. CURTIS: Mr. Speaker, I had

just as soon get struck by a drunken man that drinks out of a dive as some one in a hotel. So I move indefinite postponement of this amendment.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, moves the indefinite postponement of House Amendment "F."

The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker, I rise in opposition to the motion made by the gentleman from Bowdoinham, Mr. Curtis. I not only agree very much with this amendment, but I feel that due to the position in which we have placed ourselves that this is entirely necessary that we might not further restrict the doing of business on Sunday in the State of Maine. Now particularly in the southern portion of this state, we depend a great deal upon tourist business, and I would remind the members of this House that Maine is the only state in the northeastern section of our country that does not permit the sale of spirituous liquors to be consumed in Class A restaurants or in hotels on Sundays.

Now I know the moral question will be forever raised, but I do not feel that the people of Maine are any more moral or immoral than our neighbors. Our neighbors seem to be doing very well. There seems to be little or no difficulty arising out of enforcement or in the manner in which these people disport themselves in restaurants or in hotels.

Now bear in mind this requires the person in a hotel or a restaurant to consume at least \$2 worth of food. They must purchase this amount, or there are no drinks sold. I don't think that you will have any drunken drivers on the road as a result of this bill. I believe this is entirely necessary to our people who are in the restaurant business, people who have to compete with our neighboring states, and I could cite many, many instances where people left dining rooms in the State of Maine and went to New Hampshire because in New Hampshire they could have a cocktail with their meals. These were not people who went in to

get intoxicated. They merely wanted a cocktail which I assure you is a very, very common practice all over not only this state, but all over this country. It is no longer regarded as something that is obnoxious and something that the right people do not do. These people have no intention of becoming disorderly, intoxicated or anything else. They merely demand the right to make an honest and legitimate purchase with the meal on Sunday. I sincerely hope that the motion to indefinitely postpone does not prevail, and that we proceed to adopt this amendment.

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 House Amendment "F" be indefinitely postponed.

The Chair recognizes the gentleman from Eddington, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker, Members of the House: I rise in support of the comments of the gentleman from Kittery. To refresh your minds, I originally was opposed to the MacGregor Bill. I was opposed because I thought it was unfair, arbitrary and discriminatory. This doubt has been resolved for me by the Supreme Judicial Court of this state. I therefore have to go along with that opinion as a lawyer irrespective of my personal feelings.

However, I also was against the MacGregor Bill because I felt that it was a restricted bill cutting off certain people from doing business. I feel that the State of Maine needs more business, not less. And that is why I am now rising in support of this amendment "F." It will, in effect, put back into this State, business dollars that you are taking away from those people that cannot qualify under the 5,000 feet or the five employees.

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

Mr. ROSS: Mr. Speaker, I would just like to ask a question through the Chair about this liquor amendment. We are now under local option as far as liquor is concerned. What would this amendment do to

the towns that are already dry, would they be able to sell liquor on Sunday?

The SPEAKER: The gentleman from Brownville, Mr. Ross, poses a question through the Chair to any member who may answer if they choose.

The Chair recognizes the gentleman from Eddington, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker, this does not override the local option.

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

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: I don't understand how this amendment can possibly be legal. The House and Senate have passed a bill which prohibits the sale of liquor on Sunday in the State of Maine, and now we have an amendment to a bill which allows the sale of liquor. I don't believe the amendment is legal.

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

Mr. BOOTHBY: Mr. Speaker, I would be heartily in favor of going along with the indefinite postponement of this amendment, and I would ask that when the vote is taken, it be taken by the yeas and nays.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I am very happy this afternoon to rise in support of the gentleman from Kittery, Mr. Dennett. This MacGregor Bill is a regressive bill in my opinion. It will do a great deal of harm to the economy, and if we can put Sunday liquor back into it and have a little progress, I am all for it.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Blouin.

Mr. BLOUIN: Mr. Speaker, I rise in support of this House Amendment "F" because I feel that it would be a great help to the hotel and restaurant business especially along the coast and our beaches in York County. I would like to go along with Mr. Dennett from Kittery in support of this House Amendment.

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

Mr. RICHARDSON: Mr. Speaker, like my colleague, Mr. Ross from Brownville, I am still in doubt about the local option question. Specifically unless this provides a local option question, I would feel definitely opposed to it, and I will go along with my good colleague from Bowdoinham, Mr. Curtis, in indefinite postponement.

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 House Amendment "F" be indefinitely postponed.

The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker, I only arise to clarify this local option question. It would seem to me as though the gentleman from Eddington, Mr. Gilbert, really cleared it when he said that this does not override the local option question. I can state that definitely if a town does not permit the sale of spirituous or vinous liquors in hotels or Class A restaurants as it now stands, this amendment definitely does not open up the sale.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: We have had this bill before us before in the Legislature. The people of the State of Maine have noticed how the vote was taken. Many have complimented this Legislature; others have cursed it for the vote. However, irregardless of how we feel one way or the other about this, I feel sorry for the people of the State of Maine. If they find that they cannot depend on a vote that we may have taken, if we should reverse ourselves today; then certainly there is no real reason why the people that watch us and listen in and see what we do can ever expect to depend upon any decision we make in the future. I hope that when we vote today, we will defeat this House Amendment "F," and I would certainly endorse the motion to have a roll call vote.

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

Mr. TAYLOR: Mr. Speaker, Ladies and Gentlemen of the House: I think this is a little bit confusing and I would like to ask a question through the Chair to anyone who would care to answer. If this bill, the MacGregor Bill, does not supersede local option, then its general purpose is destroyed for the simple reason that if local option overrules this bill, then all towns that have local option wide-open stores regardless of size will still be able to operate. Now if that isn't true, then how can liquor be sold? Why doesn't it open up the liquor in all towns? I would like to have that clarified please.

The SPEAKER: The gentleman from South Portland, Mr. Taylor, poses a question through the Chair to any member who may answer if he chooses.

The Chair recognizes the gentleman from Eddington, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker, I thought I had clarified this before. Local option under liquor is a separate and distinct chapter and provision of law and is not affected one bit by this provision here. What the MacGregor Bill does on overriding local option, only pertains to the doing of business, not liquor business, business in general. This bill does not override the liquor local option.

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

Mr. EWER: Mr. Speaker, it was precisely because of what the gentleman from Eddington has just said that I raised the question of germaneness. It is because the liquor industry is governed by a separate section of our laws different from this MacGregor Bill, it seemed to me at the time I made the inquiry that the two things were not related in any way, shape or manner. It does seem to me that there will be a strong question of law as to whether or not this House Amendment "F" or the local option provision in regard to the sale of liquor will hold precedence. I think this is a bad amendment. I would call your at-

tention to the fact that a similar amendment was presented in the Senate and wasn't even considered. It was killed there without even considering on this same bill.—

The SPEAKER: The gentleman may not refer to the other body to influence the House.

Mr. EWER: I beg your pardon, sir. But I do feel that when the yeas and nays are taken, that I hope this move to indefinitely postpone will prevail.

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

Mr. COPE: Mr. Speaker, Members of the House: I would like to make a comment to my learned friend from Strong, Mr. Smith. As we all well know from Kittery to Fort Kent, the news media have coined a phrase, "the reversible House." I hope that we be consistent and support this reversible action.

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

Mr. RANKIN: Mr. Speaker, Ladies and Gentlemen of the House: Although I haven't had an alcoholic beverage for nine years, I have voted consistently for Sunday liquor. It is a simple statement of fact; it would appear to me that the passage of the MacGregor Bill is contingent upon the passage of this amendment.

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 House Amendment "F" be indefinitely postponed. The yeas and nays have been requested. For the Chair to order a roll call, it must have the expressed desire of one-fifth of the membership present. All of those desiring a roll call, please rise and be counted.

A sufficient number arose.

The SPEAKER: Obviously, a sufficient number has expressed the desire for a roll call. The Chair will restate the question. The question before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, that the House indefinitely postpone House Amend-

ment "F." All those in favor of indefinitely postponing House Amendment "F," will answer "Yes" when their names are called. All those opposed to indefinite postponement, will answer "No" when their names are called. The Clerk will call the roll.

ROLL CALL

YES — Anderson, Ellsworth; Ayoob, Baldic, Berman, Binnette, Boothby, Bradeen, Bragdon, Brown, Fairfield; Chapman, Cottrell, Crommett, Curtis, Davis, Denbow, Dunn, Edwards, Ewer, Finley, Gifford, Hammond, Hanson, Hawkes, Henry, Humphrey, Hutchins, Jewell, Karkos, Kent, Knight, Laughton, Lincoln, Littlefield, MacGregor, MacPhail, Mathieson, McGee, Meisner, Mendes, Mower, Norton, Osborn, Osgood, Prince, Oakfield; Richardson, Ricker, Roberts, Ross, Brownville; Sahagian, Secitt, Shaw, Smith, Bar Harbor; Smith, Strong; Snow, Susi, Taylor, Thaanum, Thornton, Treworgy, Vaughn, Viles, Waltz, Ward, Waterman, Watkins, Wellman, White, Guilford; Whitney, Wight, Presque Isle; Williams, Wood, Young.

NO — Albair, Anderson, Orono; Bedard, Benson, Bernard, Berry, Blouin, Boissonneau, Bourgoin, Brown, South Portland; Bussiere, Carter, Cartier, Childs, Choate, Cope, Cote, Cressey, Crockett, Dennett, Dostie, Drake, Easton, Foster, Gallant, Gilbert, Giroux, Hardy, Hendricks, Hobbs, Jalbert, Jones, Kilroy, Lebel, Levesque, Libby, Linnekin, Lowery, MacLeod, Minsky, Nadeau, Oakes, Oberg, O'Leary, Pitts, Plante, Poirier, Rand, Rankin, Reynolds, Roy, Rust, Smith, Falmonth; Tyndale, Wade.

ABSENT — Birt, Brewer, Burns, Cookson, Coulthard, Dudley, Gill, Gustafson, Harrington, Hendsbee, Jameson, Jobin, Maddox, Noel, Pease, Philbrick, Pierce, Prince, Harpswell; Ross, Augusta; Tardiff, Townsend, Turner, Welch.

Yes, 72; No, 55; Absent, 23.

The SPEAKER: Seventy-two having voted in the affirmative, fifty-five having voted in the negative, with twenty-three being absent, the motion to indefinitely postpone

House Amendment "F" does prevail.

Are there any more House Amendments?

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

Mr. RUST: Mr. Speaker, I now move indefinite postponement of the Bill and all its accompanying reports, and request a division.

The SPEAKER: The Chair would inquire of the gentleman from Old Orchard Beach if he has an amendment to offer?

The Chair recognizes the gentleman from Strong, Mr. Smith.

Mr. SMITH: Mr. Speaker, when the vote is taken, I would ask for a roll call.

The SPEAKER: The motion to indefinitely postpone was not in order. We have an amendment before us, House Amendment "D." Is the House ready for the question?

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

Mr. KNIGHT: Mr. Speaker, if the motion has not been made, I would move that we indefinitely postpone House Amendment "D."

The SPEAKER: The Chair recognizes the gentleman from Windsor, Mr. Choate.

Mr. CHOATE: Mr. Speaker, I ask for a division.

The SPEAKER: A division has been requested. Do the members wish the House Amendment "D" to be read again? Is the House ready for the question? The gentleman from Rockland, Mr. Knight, moves that House Amendment "D" be indefinitely postponed. All those in favor, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-seven having voted in the affirmative and thirty-two having voted in the negative, the motion to indefinitely postpone did prevail.

The SPEAKER: The gentleman from York, Mr. Rust, now moves the indefinite postponement of the Bill and the amendments. Is the House ready for the question?

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

Mr. TAYLOR: Mr. Speaker, I move that the vote be taken by the yeas and nays.

The SPEAKER: The yeas and nays have been requested. For the Chair to order a roll call, it must have the expressed desire of one-fifth of the membership present. All of those desiring the yeas and nays, will please rise and be counted.

A sufficient number arose.

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

Mr. BRAGDON of Perham: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman arise?

Mr. BRAGDON: Is the main question still debatable?

The SPEAKER: The main question is still debatable.

Mr. BRAGDON: Mr. Speaker, I wish to go on record that I will vote now for the MacGregor Bill. However, I still insist that it is poor legislation.

The SPEAKER: A roll call has been ordered. The question before the House is the motion of the gentleman from York, Mr. Rust, that the Bill "An Act relating to Operating Business on Sunday and Certain Holidays," House Paper 930, Legislative Document 1364, be indefinitely postponed. All those in favor of indefinite postponement, will answer "Yes" when their names are called. All those opposed to indefinite postponement, will answer "No" when their names are called. The Clerk will call the roll.

ROLL CALL

YES — Benson, Berman, Birt, Bradeen, Brown, Fairfield; Carter, Cartier, Chapman, Choate, Cressey, Curtis, Davis, Dennett, Drake, Dudley, Dunn, Easton, Finley, Gifford, Gilbert, Hammond, Hanson, Henry, Hobbs, Hutchins, Jewell, Jones, Karkos, Kent, Laughton, Lincoln, Littlefield, MacLeod, Norton, Osborn, Pitts, Rankin, Ricker, Ross, Brownville; Rust, Sahagian, Scott, Shaw, Smith, Bar Harbor; Smith, Strong; Thaanum, Thornton, Townsend, Vaughn, Viles, Wade, Walt, Waterman, White, Guilford; Whitney, Williams, Young.

NO — Albair, Anderson, Ellsworth; Anderson, Orono; Ayoub, Baldie, Bedard, Bernard, Berry, Binnette, Blouin, Boothby, Bourgoin, Bragdon, Brewer, Brown,

South Portland; Bussiere, Childs, Cope, Cote, Cottrell, Crockett, Crommett, Denbow, Dostie, Edwards, Ewer, Foster, Gallant, Gill, Giroux, Hardy, Hawkes, Hendricks, Humphrey, Jalbert, Kilroy, Knight, Lebel, Levesque, Libby, Linnekin, Lowery, MacGregor, MacPhail, Mathieson, McGee, Meisner, Mendes, Minsky, Mower, Nadeau, Oakes, Oberg, O'Leary, Osgood, Plante, Poirier, Prince, Oakfield; Rand, Richardson, Roberts, Roy, Smith, Falmouth; Snow, Susi, Taylor, Treworgy, Tyndale, Ward, Watkins, Wellman, Wight, Presque Isle; Wood.

ABSENT — Boissonneau, Burns, Cookson, Coulthard, Gustafson, Harrington, Hendsbee, Jameson, Jobin, Maddox, Noel, Pease, Philbrick, Pierce, Prince, Harpswell; Reynolds, Ross, Augusta; Tardiff, Turner, Welch.

Yes, 57; No, 73; Absent, 20.

The SPEAKER: Fifty-seven having voted in the affirmative, seventy-three having voted in the negative, with twenty being absent, the motion to indefinitely postpone does not prevail.

Thereupon, the Bill was given its third reading and passed to be engrossed as amended by Senate Amendment "A" as amended by House Amendment "E" thereto in non-concurrence and sent to the Senate.

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

Mr. KNIGHT: Mr. Speaker, I would now move that we reconsider whereby this Bill has been passed to be engrossed, and I urge you all to vote against me.

The SPEAKER: The gentleman from Rockland, Mr. Knight, now moves that the House reconsider its action whereby it voted that this Bill be engrossed. All those in favor will say aye; those opposed, no.

A viva voce vote being taken, the motion to reconsider did not prevail.

(Off Record Remarks)

The Speaker at this time appointed the following Conferees on the part of the House on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Matching State Funds with Local Chambers of Commerce to Obtain New and Aid Expansion of Present Industries," Senate Paper 47, Legislative Document 97:

Messrs. LITTLEFIELD of Hampden
 MacLEOD of Brewer
 Mrs. SMITH of Falmouth

On motion of Mr. Tyndale of Kennebunkport,

Adjourned until nine-thirty o'clock tomorrow morning.