

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and First Legislature*

OF THE

STATE OF MAINE

VOLUME II

MAY 10 - JUNE 22, 1963

and

SPECIAL SESSION

JAN. 6 - JAN. 17, 1964

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Friday, June 14, 1963

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

Prayer by the Rev. Mr. William Dawes Veazie of Gardiner.

The journal of yesterday was read and approved.

The SPEAKER: The Chair at this time would request the Sergeant-at-Arms to escort the gentleman from Bangor, Mr. Wellman, to the rostrum to serve as Speaker pro tem.

Thereupon, Mr. Wellman assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Kennedy retired from the hall.

**Conference Committees Report**

Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Authorizing Forest Commissioner to Permit and Regulate Dredging in Great Ponds" (H. P. 1015) (L. D. 1469) reporting that the House recede from its action whereby the Bill was passed to be engrossed as amended by House Amendments "A" and "B", adopt Senate Amendment "B" and concur with the Senate in passing the Bill to be engrossed as amended by House Amendments "A" and "B" and Senate Amendment "B".

(Signed)

- WATERMAN of Auburn
- WILLIAMS of Hodgdon
- SAHAGIAN of Belgrade
- Committee on part of House.
- STITHAM of Somerset
- COLE of Waldo
- JACQUES of Androscoggin
- Committee on part of Senate.

Report was read and accepted and sent up for concurrence. The House receded from its action whereby the Bill was passed to be engrossed as amended by House Amendments "A" and "B".

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

SENATE AMENDMENT "B" to H. P. 1015, L. D. 1469, Bill, "An Act Authorizing Forest Commissioner to Permit and Regulate Dredging in Great Ponds."

Amend said Bill in the 13th line by inserting after the underlined words "great ponds" the underlined words and figure 'of over 1,000 acres'

Senate Amendment "B" was adopted in concurrence and the Bill passed to be engrossed as amended by House Amendments "A" and "B" and Senate Amendment "B" in concurrence and sent to the Senate.

**Papers from the Senate  
Senate Reports of Committees  
Conference Committees Report**

Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Providing for the Study of a State Building Code and Anti-Shack Statute" (S. P. 202) (L. D. 512) reporting that the Senate recede from its action whereby the Bill was passed to be engrossed as amended by Committee Amendment "A", and refer the Bill to the 102nd Legislature; that the House recede from its action whereby the Bill was indefinitely postponed, and refer the Bill to the 102nd Legislature in concurrence.

(Signed)

- PORTEOUS of Cumberland
- FERGUSON of Oxford
- BROOKS of Cumberland
- Committee on part of Senate.
- BRAGDON of Perham
- ROSS of Brownville
- SMITH of Strong
- Committee on part of House.

Came from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence. The House receded from its action whereby the Bill was indefinitely postponed and concurred with the Senate in referring it to the 102nd Legislature.

**Conference Committees Report**

Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Authorize a Bond Issue for Purchase of Voting Machines for Resale to Municipalities" (H. P. 97) (L. D. 141) reporting that they are unable to agree.

(Signed)

BROOKS of Cumberland

- FARRIS of Kennebec  
 STITHAM of Somerset  
 — Committee on part of Senate.  
 VILES of Anson  
 BINNETTE of Old Town  
 WILLIAMS of Hodgdon  
 — Committee on part of House.

Came from the Senate read and accepted.

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

From the Senate: The following Order:

ORDERED, the House concurring, that Bill, An Act Repealing the Regulation of Herring for Canning Purposes from December 1st to April 15th, S. P. 189, L. D. 488, be recalled from the legislative files to the Senate (S. P. 627)

Came from the Senate read and passed.

In the House, the Order was read. The SPEAKER pro tem: The Chair recognizes the gentleman from Gouldsboro, Mr. Young.

Mr. YOUNG: Mr. Speaker, I would like to speak briefly on this order.

The SPEAKER pro tem: The gentleman may proceed.

Mr. YOUNG: Mr. Speaker, Ladies and Gentlemen: This order is just to recall this bill which the sardine industry needs very badly. One hundred percent of the industry wants this bill back because it is impossible for them to wait for the next session of the Legislature two years from now. I hope you will go along with recalling it. It won't lengthen the session one bit because it will be taken care of through the regular channels.

The SPEAKER pro tem: In order for this bill to be recalled from the Legislative Files, it is necessary to take a two-thirds vote in each branch of the House. Therefore, will all of those who desire the passage of this Order and this bill to be recalled from the Legislative Files, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-seven having voted in the affirmative and none having voted in the negative the Order was passed in concurrence and, on motion of Mr. Young of Gouldsboro, sent forthwith to the Senate.

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

#### Ought to Pass with Committee Amendment

Report of the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve Proposing an Amendment to the Constitution to Revise Article VI Relating to the Judicial Power (S. P. 529) (L. D. 1450) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 529, L. D. 1450, Resolve, Proposing an Amendment to the Constitution to Revise Article VI Relating to the Judicial Power.

Amend said Resolve by striking out all of section 6 and inserting in place thereof the following:

"Section 6. Judges and registers of probate shall be elected by the people of their respective counties, by a plurality of the votes given in, at the biennial election on the Tuesday following the first Monday of November, and shall hold their offices for four years, commencing on the first day of January next after their election. Vacancies occurring in said offices by death, resignation or otherwise, shall be filled by election in manner aforesaid at the November election, next after their occurrence; and in the meantime, the Governor, with the advice and consent of the council, may fill said vacancies by appointment, and the persons so appointed shall hold their offices until the first day of January next after the election aforesaid."

Further amend said Resolve in the Referendum by striking out in the 7th, 8th and 9th lines the words "or special state-wide election on the Tuesday following the first Monday

of November following the passage of this resolve”

Committee Amendment “A” was adopted in concurrence and the Resolve assigned for second reading the next legislative day.

**Divided Report  
Tabled and Assigned**

Majority and Minority Reports of the Joint Select Committee on Railroad Passenger Service (S. P. 626) (For Reports see Senate Advance Journal of June 13.)

Came from the Senate with the Minority Report accepted and both Reports ordered placed on file.

In the House: Reports were read. The SPEAKER pro tem: The Chair recognizes the gentleman from Caribou, Mr. Albair.

Mr. ALBAIR: Mr. Speaker, Ladies and Gentlemen of the House: I move the acceptance of the Majority Report.

The SPEAKER pro tem: The gentleman from Caribou, Mr. Albair, moves that the House accept the Majority Report.

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

Mr. EWER: Mr. Speaker, in view of the importance to the people of the state on this particular report, and to enable the members of the House to familiarize themselves a little more with the details of this report, I would hope that some member will table it until the second legislative day.

Thereupon, on motion of Mr. Minsky of Bangor, tabled pending the motion of Mr. Albair of Caribou to accept the Majority Report and specially assigned for Tuesday, June 18.

**Non-concurrent Matter  
Tabled and Assigned**

An Act relating to Investigation of Motor Vehicle Accidents by Highway Safety Committee (S. P. 492) (L. D. 1344) which was indefinitely postponed on passage to be enacted in the House on June 10 and passed to be engrossed as amended by Senate Amendment “B” on June 5.

Came from the Senate passed to be engrossed as amended by Senate Amendment “B” as amended by Senate Amendment “A” thereto in non-concurrence.

In the House:

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

Mr. CHILDS: Mr. Speaker, I move we insist on our former action.

The SPEAKER pro tem: The gentleman from Portland, Mr. Childs, moves that we insist on our former action.

Whereupon, on motion of Mr. Rust of York, tabled pending the motion of Mr. Childs of Portland to insist and specially assigned for Tuesday, June 18.

**Non-concurrent Matter  
Tabled until Later  
in Today's Session**

Bill “An Act relating to Operating Business on Sunday and Certain Holidays” (H. P. 930) (L. D. 1364) which was passed to be engrossed as amended by Senate Amendment “A” as amended by House Amendment “E” thereto in non-concurrence in the House on June 11.

Came from the Senate passed to be engrossed as amended by Senate Amendment “A” as amended by House Amendment “E” thereto, and Senate Amendment “E”, in non-concurrence.

In the House:

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

Mr. KNIGHT: Mr. Speaker, Ladies and Gentlemen of the House: Senate Amendment “E” was found to be necessary because it deleted a semicolon and replaced it with a comma. I now move that we recede and concur with the Senate.

The SPEAKER pro tem: The gentleman from Rockland, Mr. Knight, moves we recede and concur.

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

Mr. RUST: Mr. Speaker, I move this item lie on the table until later in today's session pending the motion of the gentleman from Rockland.

Mr. Knight of Rockland then requested a division on the tabling motion.

The SPEAKER pro tem: A division has been requested on the tabling motion. All of those in favor of the tabling motion, will please

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

A division of the House was had. Sixty-two having voted in the affirmative and twenty-five having voted in the negative, the tabling motion did prevail.

Thereupon, the Bill was tabled pending the motion of Mr. Knight of Rockland to recede and concur with the Senate and specially assigned for later in today's session.

From the Senate: The following Communication:

THE SENATE OF MAINE

Augusta

June 13, 1963

Hon. Harvey R. Pease  
Clerk of the House of  
Representatives  
101st Legislature

Sir:

The President of the Senate has appointed the following Conferees on the part of the Senate on the disagreeing action of the two branches of the Legislature on:

Bill, "An Act relating to Minimum Number of School Days in Public Schools" (S. P. 598) (L. D. 1565)

Senators:

BROOKS of Cumberland  
WHITTAKER OF Penobscot  
HICHBORN of Piscataquis  
Respectfully,

(Signed)

CHESTER T. WINSLOW  
Secretary of the Senate

In the House, the Communication was read and ordered placed on file.

**House Reports of Committees  
Petition Declined**

Report of the Committee on Judiciary, to which was referred the Petition of Lucien T. Turmenne to the One Hundred and First Maine State Legislature, filed under Article 1, Section 15 of the State Constitution (H. P. 561), reports as follows:

This Legislature recognizes the right of the petitioner in presenting his petition. Under our Constitution our Government is divided in three branches; the Executive, the Legislative and the Judicial. The lack or want of due process of law is en-

tirely within the province of the Judicial branch of our Government.

Until that branch has adjudicated a lack or want of due process, it is unconstitutional for the Legislative branch to either accept or reject the prayer called for in the petition. The petitioner has failed to show that he has exhausted his judicial remedies. Accordingly, the petition is declined.

(Signed)

RALPH W. FARRIS Jr.  
Farris of Kennebec  
JOSEPH B. CAMPBELL  
Campbell of Kennebec  
WILLIAM F. BOARDMAN  
Boardman of Washington  
JOHN L. KNIGHT  
Knight of Rockland  
EDWIN R. SMITH  
Smith of Bar Harbor  
ALAN C. PEASE  
Pease of Wiscasset  
L. ERNEST THORNTON  
Thornton of Belfast  
MYRON D. RUST  
Rust of York  
MALCOLM BERMAN  
Berman of Houlton  
DANA W. CHILDS  
Childs of Portland

Report was read and accepted and sent up for concurrence.

**Leave to Withdraw**

Mr. Smith from the Committee on Judiciary on Bill "An Act relating to a Power of Sale in a Mortgage and Sale under a Power in a Mortgage" (H. P. 292) (L. D. 386) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

**Ought Not to Pass  
Covered By Other Legislation  
Tabled and Assigned**

Mr. Bradeen from the Committee on Education reported "Ought not to pass", as it is covered by other legislation on Bill "An Act Providing for State Support of Education Foundation Program and the Financing Thereof" (H. P. 1067) (L. D. 1532) which was recommitted.

Report was read.

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

Mr. EASTON: Mr. Speaker, since the sponsor and author of the bill is not present, I would hope perhaps someone might table it until the next legislative day.

Thereupon, on motion of Mr. Tyn-dale of Kennebunkport, the Bill was tabled pending acceptance of the Committee Report and specially assigned for Monday, June 17.

**Tabled and Assigned**

Mr. Easton from the Committee on Education reported "Ought not to pass," as it is covered by other legislation on Bill "An Act Repealing Supplemental State Aid for Reorganized School Districts" (H. P. 25) (L. D. 49) which was recom-mitted.

Report was read.

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

Mr. EASTON: Mr. Speaker, again in the end I will be making a plea for someone to table this bill. I would like to explain why. As you all know, several of these bills were recommitted to the Committee on Education, and this is one of three bills combined into an omnibus bill which is not before this body. The constituent parts of this omnibus bill have come out with reports, "Ought not to pass," as covered by other legislation. This is one of them. Nevertheless, we can never be sure of the fate of the omnibus bill. For that reason, I would hope someone might table this until Monday.

Thereupon, on motion of Mr. Tyn-dale of Kennebunkport, the Bill was tabled pending acceptance of the Committee Report and specially assigned for Monday, June 17.

**Ought to Pass in New Draft  
New Drafts Printed**

Mr. Minsky from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Moneys to Provide for Longevity Pay for State Employees" (H. P. 19) (L. D. 44) reported same in a new draft (H. P. 1108) (L. D. 1590) under title of "An Act to Provide for Longevity Pay for State Em-ployees" and that it "Ought to pass"

Report was read.

The SPEAKER pro tem: The

Chair recognizes the gentleman from Bangor, Mr. Minsky.

Mr. MINSKY: Mr. Speaker, Ladies and Gentlemen: This bill here carries no appropriation. The appropriation is in the Supplemental Budget. This is only setting up the language which will govern the longevity. In view of that, I will move that the "Ought to pass" Report be accept-ed.

Thereupon, the "Ought to pass" Report was accepted, the New Draft read twice and assigned the next legislative day.

Mrs. Smith from the Committee on Appropriations and Financial Affairs on Bill "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equip-ment, Supplies and Furnishings for the Fiscal Years Ending June 30, 1964 and June 30, 1965" (H. P. 265) (L. D. 359) reported same in a new draft (H. P. 1109) (L. D. 1591) under same title and that it "Ought to pass"

Report was read.

On motion of Mrs. Smith of Fal-mouth, the "Ought to pass" Report was accepted, the New Draft read twice and assigned the next legis-lative day.

Mr. Berman from the Committee on Constitutional Amendments and Legislative Reapportionment on Re-solve Proposing an Amendment to the Constitution Clarifying Provisions Governing Assumption of Office of Governor by the President of the Senate or the Speaker of the House (H. P. 992) (L. D. 1435) which was recommitted, reported same in a new draft (H. P. 1110) (L. D. 1593) under same title and that it "Ought to pass"

Report was read and accepted, the New Draft read once, and as-signed the next legislative day.

**Ought to Pass with  
Committee Amendment**

Mr. Curtis from the Committee on Education on Bill "An Act to Correct Errors and Inconsistencies in the Education Laws" (H. P. 960) (L. D. 1306) reported "Ought to pass" as amended by Committee Amendment "A" submitted there-with.

Report was read and accepted and the Bill read twice. Committee Amendment "A" was read by the Clerk as follows:

**COMMITTEE AMENDMENT "A"**  
to H. P. 960, L. D. 1306, Bill, "An Act to Correct Errors and Inconsistencies in the Education Laws."

Amend said Bill by inserting after section 7 a new section 7-A, to read as follows:

"Sec. 7-A. R. S., c. 41, Sec. 154, **amended.** The 4th sentence of section 154 of chapter 41 of the Revised Statutes is amended to read as follows:

'All teachers of public schools in the State shall close their schools on the above-named days and draw pay the same as if their schools had been in session.'

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

"Sec. 8-A. R.S., c. 41, Sec. 237-D, **amended.** The first sentence of section 237-D of chapter 41 of the Revised Statutes, as last repealed and replaced by section 16 of chapter 353 of the public laws of 1959, is amended to read as follows:

'The foundation program allowance for each administrative unit, except community school districts, which do not offer educational programs for both grades and high school pupils, shall be determined as follows.'

Further amend said Bill by renumbering the sections of said Bill to read consecutively.

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

#### Divided Report Tabled and Assigned

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act relating to Allocation of Moneys from Eastport-Perry Causeway for Recreational Development of Bog Lake" (H. P. 176) (L. D. 245)

Report was signed by the following members:

Messrs. EDMUNDS of Aroostook  
CAMPBELL of Kennebec  
— of the Senate.

Messrs. PIERCE of Bucksport  
MINSKY of Bangor  
Mrs. SMITH of Falmouth  
Messrs. BRAGDON of Perham  
HUMPHREY of Augusta  
— of the House.

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

Report was signed by the following members:

Mr. PORTEOUS of Cumberland  
— of the Senate.

Messrs. JALBERT of Lewiston  
EDWARDS of Raymond  
— of the House.

Reports were read.

(On motion of Mr. Snow of Jonesboro, tabled pending acceptance of either Report and specially assigned for Monday, June 17.)

#### Divided Report Tabled and Assigned

Majority Report of the Committee on Education reporting "Ought not to pass", as covered by other legislation, on Bill "An Act relating to the Educational Foundation Program Allowances" (H. P. 862) (L. D. 1249) which was recommitted as amended by Committee Amendment "A".

Report was signed by the following members:

Messrs. CURTIS of Bowdoinham  
EASTON of Winterport  
SNOW of Jonesboro  
BRADEEN of Waterboro  
McGEE of Auburn  
TREWORGY of Gorham  
— of the House.

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

Report was signed by the following members:

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

Mr. LEVESQUE of Madawaska  
— of the House.

Reports were read.

(On motion of Mr. Tyndale of Kennebunkport, tabled pending acceptance of either Report and specially assigned for Monday, June 17.)



**Passed to Be Engrossed  
Amended Bill  
Amended in House**

Bill "An Act Amending Certain Statutes to Conform to the District Court Law" (S. P. 150) (L. D. 581)

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

Mrs. Lincoln of Bethel offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 150, L. D. 581, Bill, "An Act Amending Certain Statutes to Conform to the District Court Law."

Amend said Bill by adding after section 148, 3 new sections to read as follows:

"Sec. 148-A. R. S., c. 108-A, Sec. 3, sub-Sec. X, repealed and replaced. Subsection X of section 3 of chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is repealed and the following enacted in place thereof:  
'X. Franklin. Franklin consists of the entire County of Franklin. The District Court for Franklin shall be held at Farmington.'

Sec. 148-B. R. S., c. 108-A, Sec. 3, sub-sec. XI, repealed. Subsection XI of section 3 of chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is repealed.

Sec. 148-C. R. S., c. 108-A, Sec. 4, sub-Sec. XI, amended. Subsection XI of section 4 of chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended to read as follows:

'XI. Eleventh District. The 11th district consists of the divisions of Northern Franklin (Rangeley), Southern Franklin (Farmington), Northern Oxford (Rumford) and Southern Oxford (South Paris).'

Further amend said Bill by renumbering section 148-A to be section 148-D.

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

**Emergency Measure  
Tabled and Assigned**

An Act Combining the Offices of the Administrative Hearing Officer and the Hearing Examiner for the Liquor Commission, and Revising the Administrative Code (H. P. 922) (L. D. 1356)

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

(On motion of Mr. Tyndale of Kennebunkport, tabled pending passage to be enacted, and specially assigned for Tuesday, June 18.)

**Passed to Be Enacted**

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

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

**Enactor  
Tabled and Assigned**

An Act relating to Discrimination in Rental Housing (S. P. 426) (L. D. 1169)

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

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I move that item three be tabled until the second legislative day.

Mr. Tyndale of Kennebunkport then requested a division.

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

A division of the House was had. Fifty-nine having voted in the affirmative and thirty having voted in the negative, the tabling motion did prevail.

Thereupon, the Bill was tabled pending passage to be enacted and specially assigned for Tuesday, June 18.

**Enactor  
Tabled and Assigned**

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 Engrossed Bills as truly and strictly engrossed.

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

Mr. MacLEOD: Mr. Speaker, Ladies and Gentlemen of the House: There seems to be some serious doubt as to where the money is going to come from to pay for the Current Services Budget and this document, and I think it would be a good idea to have this hang around here in the House for another day or two until we are more clear in where the money might come from, and I wish someone might table this until the first of the week sometime.

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

Mr. TURNER: Mr. Speaker, I move this be tabled until the second legislative day.

Mr. Rust of York then requested a division.

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

A division of the House was had. Sixty-three having voted in the affirmative and twenty-two having voted in the negative, the tabling motion did prevail.

Thereupon, the Bill was tabled pending passage to be enacted and specially assigned for Tuesday, June 18.

#### Orders of the Day

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

Bill "An Act relating to Establishment, Maintenance and Operation of Regional Technical and Vocational Centers." (S. P. 383) (L. D. 1086) (Filing S-282)

Tabled — June 13, by Mr. MacLeod of Brewer.

Pending — Passage to be Engrossed.

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

Mr. MacLEOD: Mr. Speaker, Ladies and Gentlemen of the House: I made a point a few days ago that I would never stand up to indefinitely postpone or to cut money out of any document and so forth, but I would like to make a few comments about this particular document. I don't know how many people in the House have read this Legislative Document 1086, but I strongly urge that you get your book out right now and take a look at it, if you have not done so, and see exactly what this does.

First of all let me say that as far as vocational training schools are concerned, I think that the State of Maine is in rough shape as far as the facilities that they are now providing for their young people that should have this type of training. We have one in Aroostook that's getting started. We have one in Portland. We definitely need a real school in the Bangor area, and one possibly in the Lewiston area. What this document opens the door to, is to provide perhaps a hundred and ten vocational schools, because any administrative unit which means Brewer, Bangor, all your school administrative districts, all they have to do is fulfill these requirements of the State Department, and they will get the following subsidies. They will get 75 percent of the construction cost of each of these schools. They will get two-thirds of all the cost of instruction for these schools. They will get 90 percent of all cost of instruction and other expenses for all part-time and night classes for adults.

Now this is going to make the Sinclair Act look like a babe in the woods in the next two, four, or six years. The price tag that's on it isn't material at this time. I've seen an amendment by the gentleman from Falmouth to cut it down, the original price tag down even more. But the price tag that's on this document at this biennium doesn't mean anything because two years from now, we'll be faced with the very fact, the very things we are faced with this time when the gentleman from Lewiston gets up

and says, this is the law; the gentleman from Bangor gets up and says, this is the statute; we must appropriate this money. Well this is what we'll be faced with two years from now.

This came out of the Appropriations Committee "Ought not to pass," but I haven't heard the Committee defend too much the action of the majority who did sign this; and I think that they should. This bill right here, Brewer gets eighteen percent of their construction cost and they get eighteen percent under the foundation program for subsidy. We have plans in the making right now to build an industrial arts type of building which is going to cost around \$600,000, which I'm certain can be modified to meet the State Department's requirements. Under this bill, we will get three-quarters of the cost of that construction back from the State of Maine instead of eighteen percent. Seventy-five percent of our entire cost of running it for materials, light, heat, teachers will be paid for by the State of Maine. If this is done in the other one hundred and nine or hundred and ten administrative units, as it could well be, because no town or no administrative unit is not going to pass this by, a gift from heaven like this, you just try to figure out the price tag.

A lot of us are concerned over the spiral effect of the present Sinclair Act. Well this is, as I said earlier, this is going to make that a babe in the woods as far as final and ultimate costs; and I would hope that someone in the House would get up and move to indefinitely postpone this thing.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I think some of you will recall that I did attempt to defend the position of the Committee in reporting this bill out "Ought not to pass." Perhaps I failed to do a satisfactory job. I am in complete concurrence with the gentleman from Brewer. I assumed that every member of the House perhaps understood what the effects of this bill would be. I think

I said at that time that I do not agree with this approach to the vocational program, it would certainly hamper the approach that we have started on and which I think now the thinking is from this study in the Education Department, to continue the expansion of vocational schools in the Lewiston and the Bangor and other areas of the state. If you set this one up, as the gentleman says, you embark upon an entirely different program, and a program on which I do not concur because of the expense and other things. I tried to say that thing the other day, but I guess I failed. I repeat.

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

Mrs. SMITH: Mr. Speaker and Members of the House: I think I have spoken twice on this bill to try to alert you to the very serious danger of putting this legislation on the books, this legislation without any money. Money is immaterial at this time. This is legislation you will be putting on the books without sufficient knowledge to know what you are doing. The amendment was put on in the Senate. If you insist on passing this today, I hope you will allow me to put the amendment on which I have prepared; because, at least, putting it under "All Other," the money, it will to some degree prevent the department from doing what it wants to with the money. This is a very loosely written bill.

I would also agree very much with the gentleman from Brewer, Mr. MacLeod and the gentleman from Perham, Mr. Bragdon, and I would tell you that Falmouth also is building a new high school; and I'm sure that if this legislation is passed we can re-arrange our program so that we too can come in under this act. And I would remind you now that Falmouth is one of those towns still maintaining one of the highest standards of education in this state and receives no building costs. But I'm fairly certain that under this bill, we could. Now this is the situation. Perhaps it is good. It certainly would be good for my town if they could receive this

money; but I question whether in the long run a bill of this type, without more consideration, should be passed.

And I would move the indefinite postponement of this bill and all its accompanying papers, and would remind this House that this was a unanimous report "Ought not to pass" from the Appropriations Committee after much thought and consideration from a committee very sincerely interested in vocational education as shown by the many reports that we have brought out to implement vocational education at this session.

The SPEAKER pro tem: The gentleman from Falmouth, Mr. Smith, moves that this bill and its reports be indefinitely postponed.

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

Mr. HUMPHREY: Mr. Speaker, Ladies and Gentlemen of the House: I am not against vocational schools in any manner, but I would like to mention the comment that was made by our Commissioner of Education at a meeting that I attended one night, and he said that this amount in this bill would just open the door. So I hope the motion to indefinitely postpone does prevail.

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

Mr. MCGEE: Mr. Speaker, Members of the House: The idea in this bill as presented I'm one hundred percent in favor of, and I am in a position, I hope, to support the bill; but as the previous speaker has said, it will cost money. My opinion is, it would be in the public schools as a part of their curriculum. There's a possibility that some items that are in the schools now could be reduced in price to meet some of the extra charge here. But at the present time, there isn't enough understanding of this bill. It isn't completely written as I figure it should be, and I think before this session is over, there will be an order passed here, perhaps not passed here but presented here — I'm a little premature in my judgment maybe, but — for another investigation or a study of the education system in the state, and this

particular item could very well be taken up in that study, and I think probably that's the proper place for it.

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

Mr. THAANUM: Mr. Speaker and Ladies and Gentlemen of the House: I am intensely interested in the vocational training program here in Maine, and I know there is great sentiment for it here in this House. But I'm hardly satisfied with this bill either. I would hope that when we do get into the vocational training business, and I think we should get into it as soon as possible, that we would have high types of vocational training schools, and particularly one in Bangor, one in Lewiston, one in Augusta if we can afford it, and one in Sanford, and one in the main industrial areas, particularly up the state; because I believe that there is a gap, as I've said before, in our educational program here in Maine.

I have here on my desk a number of comments by the governors of the various states in their messages, and from all over the country the emphasis is on vocational training; and I believe that in this day and age, in this space age, where it's highly technical and scientific work that is being done, that all of these experts and technicians are going to need the backing up of semi-skilled and skilled people here in the various industries that we not only have in Maine but which we want to come to Maine. I believe it's very, very highly necessary and should be attended to if we are going to induce industries to come into our state. However, I am not going to vote for this bill because I'm a little fearful from what has been said, that it is not exactly the right approach to it at the present time. Thank you.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: It would appear this morning that this bill is going down to defeat, even though most everybody in this session of the Legislature would readily admit that one of the biggest

voids in our educational system here in the State of Maine is in the area of vocational training which this bill attempts to provide. Recognizing that fact, it would appear that something positive ought to be done about it, and for that reason there has been an attempt made to reduce the money on this bill so that the Legislature might go along with it and at least start a pilot program.

Now the gentleman from Brewer, Mr. MacLeod, has pointed out to you what he feels are some fearful things about this bill to the extent that every community could have one of these facilities. That I would differ with one hundred percent, because this bill provides for regional vocational facilities, and when you speak of regional that must mean that you take in or provide services for a regional area and not for one single community. And once you have a regional area, it must be approved by the State Board of Education. In addition to that, the programs that you are going to provide must be approved by the State Board of Education. And once you have gone into one of these programs to provide vocational facilities for surrounding communities, you must stay in the program for at least ten years.

Now when it comes to the subsidy situation, no community that would agree to provide vocational facilities will get any construction subsidy until they have completed the construction of a building. They don't get it beforehand, and they do not get it during construction. The building must be completed, open, and ready for use before they get a dime from the state. Now when it comes down to this subsidy for vocational teaching, the subsidy for vocational teaching, the subsidy is always for that part of the general four-year education which applies to vocational training. There is no subsidy allowed for that portion of the training which is the general education which these students would get in a four year vocational program, because you must not only train the mind but you must also train the hands, and the vocational subsidy is for training the hands and training the

minds is provided for by the individual communities from which the student comes, that community pays tuition to the high school which is providing the vocational training. I think these points are worth clarifying and I hope you will give it considerable thought before you defeat this bill this morning.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I think we have all found that these pilot programs suddenly burst into an uncontrollable flame. I too am very much interested in vocational training, but not in this bill. I certainly hope the motion to indefinitely postpone is soundly defeated.

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

Mr. JALBERT: Mr. Speaker, I am not going to spend much time repeating myself as to how I feel about vocational training in any form. I think I spoke somewhat at length the other morning telling you just what such a program had done in Connecticut. I think you can pick up the papers daily and see that the vocational training program is really bursting into flame, as it has to. I mean if a pilot program is started, if it is a good program, and it does burst into flame, so be it! It should!

Now you people are certainly well aware that since 1945 I have had a bill in for a vocational training school in my area. I helped to work and co-sponsor the bill for the school in South Portland. I think it should be expanded. I think we should have one in Bangor, in any area where we should have one, but as far as this program here is concerned, I would just like to give you one example — two examples. I have in the Appropriations room, and I wish I had brought the articles with me, a series of three articles in the Saturday Evening Post, I believe last year. I'll bring them with me, and I would like to have you people, any of you who would like to borrow them, to read them. The article is headed, the caption was "We Lose a Million Youths a

Year." This is true. The second example I want to give you happened to me last weekend. I was home and I walked by this pool-room and shoeshine parlor. My days of playing pool are over, but I decided I would have my shoes shined. I saw in there this young man, and we might laugh about this, there was maybe a dozen young men there. I singled one out, and I said: "What are you doing" and I said particularly "What are you doing hanging around in here, why aren't you in school?" He said: "I can't make it, I haven't got it." He said: "I can't afford to go to a school and I can't go to it because it is beyond high school." He said: "could you find me a job somewhere, Mr. Jalbert, where I might learn some trade. I don't want to be here, I have nowhere to go." So I mean the state is littered with such fine youths who have got the skill in their hands to learn trades, who can't afford or can't be doctors or lawyers, and the words, and I have all the respect in the world for the gentleman from Ellsworth, Mr. Anderson, and I don't say the words lightly, but this pilot program is a good program. As a matter of fact, and believe me, I don't feel too happy about a certain action that might take place a little later on today anyway, but this program is equally as important as my own program, and I set that priority rather high. Now I know this is going down to defeat, but before you vote "no" against this, you think over the remarks I have made. It might be advisable to table this thing anyway, and for you to read the articles that I have got in the other room.

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

Mr. MacLEOD: Mr. Speaker and Members of the House: I would just like to emphasize for the second time that this is not a pilot program only insofar as the monies appropriated by this session. The Statute will be set up on our books, and it won't be a pilot program two years from now or four years from now, it will be a full-fledged, full-running program just like the Sin-

clair Act. And to the gentleman from Lewiston, Mr. Jalbert, who has been talking about his bill since 1945 that he has had in for a vocational school, I would say to you sir, you get this bill on the floor of the House for an area vocational school in Lewiston with the right type of programming and I will vote for it, financed either through bonds or through general funds. I will vote for it, but I certainly can't vote for this type of a bill here.

The SPEAKER pro tem: The Chair recognizes the gentleman from Dexter, Mr. Harrington.

Mr. HARRINGTON: Mr. Speaker and Members of this House: I voted for Presque Isle Vocational School, and I am fully prepared to vote for another one somewhere in this state, but I do not believe that we should — we have heard previously that these would be area schools. Why would it be not our prerogative to determine in what areas? Why do certain powers in this state require more sweeping state educational powers? I ask you. Why should we not establish our schools when and where we want them? Why is this type of legislation necessary? I believe it is just another gimmick to create another law, a broad-sweeping law and we will all find ourselves in financial trouble over it.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Falmouth, Mrs. Smith, that Bill "An Act relating to Establishment, Maintenance and Operation of Regional Technical and Vocational Centers," Senate Paper 333, Legislative Document 1086 be indefinitely postponed.

Mr. Anderson of Ellsworth requested a division.

The SPEAKER pro tem: A division has been requested. All those in favor of the indefinite postponement of this Bill, will please rise and remain standing in their places until the monitors have made and returned their count.

A division of the House was had.

Sixty-seven having voted in the affirmative and thirty having voted in the negative, the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

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

COMMITTEES OF CONFERENCE REPORT on the Disagreeing action of the Two Branches of the Legislature on (S. P. 453) (L. D. 1345) Bill "An Act Amending Certain Provisions of the Employment Security Law."

Tabled — June 13, by Mr. Jalbert of Lewiston.

Pending — Acceptance of Report.

On motion of Mr. Jalbert of Lewiston, the Conference Committees Report was accepted; the House receded from its former action where-by the Committee "Ought not to pass" Report of the Committee on Labor was accepted, substituted the Bill for the Report, and the Bill was read twice.

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

SENATE AMENDMENT "A" to S. P. 453, L. D. 1345, Bill, "An Act Amending Certain Provisions of the Employment Security Law."

Amend said Bill by striking out all of section 1.

Further amend said Bill by striking out all of the underlined designated paragraph "C." of subsection XVII of section 2.

Further amend said Bill by re-lettering paragraph D of subsection XVII of section 2 to be paragraph 'C.'

Further amend said Bill by striking out all of that part designated subsection "VII." of section 8 and inserting in place thereof the following:

"VII. Witness fees. Witnesses subpoenaed pursuant to the provisions of this chapter shall be allowed fees at a rate fixed by the commission to be paid out of the Employment Security Administration Fund, except that no attendance or mileage fee shall be due or payable when a subpoena is issued to compel an employing unit to appear and produce records and reports for the purpose of making a determination as to liability or for the purpose of completing routine reports as provided under this chapter."

Further amend said Bill by renumbering sections 2 to 8 to be sections 1 to 7.

Senate Amendment "A" was adopted in concurrence.

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

SENATE AMENDMENT "B" to S. P. 453, L. D. 1345, Bill, "An Act Amending Certain Provisions of the Employment Security Law."

Amend said Bill by striking out all of section 3.

Further amend said Bill by renumbering sections 4 to 8 to be sections 3 to 7.

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

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

HOUSE MAJORITY REPORT (7) Ought not to pass — MINORITY REPORT (3) — Ought to pass — Committee on Taxation on Bill "An Act Increasing the State Liquor Tax." (H. P. 825) (L. D. 1212) — Acceptance of Majority ONTP Reconsidered.

Tabled — June 13, by Mr. Denbow of Lubec.

Pending — Acceptance of Majority Report.

On motion of Mr. Denbow of Lubec, retabled pending acceptance of the Majority Report and specially assigned for Tuesday, June 18.

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

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

Tabled — June 13, by Mr. Littlefield of Hampden.

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

On motion of Mrs. Kilroy of Portland, retabled pending the motion of Mr. Viles to indefinitely postpone, and specially assigned for Tuesday, June 18.

#### Order Out of Order

On motion of Mr. Libby of Portland, it was

ORDERED, that David Ronald Cope of Portland be appointed to serve as Honorary Page for today.

The SPEAKER pro tem: The Sergeant-at-Arms will escort the young gentleman to a chair on the rostrum to undertake his duties. It is the understanding of the Chair, that this young gentleman is the son of the Representative from Portland, Mr. Cope.

Thereupon, Master David Ronald Cope was escorted by the Sergeant-at-Arms to the well of the Hall of the House to serve as Honorary Page for today. (Applause)

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

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 13, by Mr. Plante of Old Orchard Beach.

Pending — Acceptance of Report.

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: Many of you recognize that the unemployment law does need some changes. It is my understanding that the other body in conjunction with others in state government are working on a program to do just this. What they are going to come up with, and what is going to be passed back to the House of Representatives, of course you do not know and neither do I. Whether it is going to be acceptable to the members of the House, whether it is going to be acceptable to either one side or the other, nobody knows. Ladies and gentlemen, this is the only instrument that we, of the House, can do anything with. It may be a saving instrument. I am hoping that somebody will table this until Tuesday next.

Thereupon, on motion of Mr. Tyndale of Kennebunkport, the Bill was retabled pending acceptance of the "Ought not to pass" Report and specially assigned for Tuesday, June 18.

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

AN ACT to Authorize the Construction of a Causeway Connecting Cousins Island with Littlejohns Island, and a Bridge and Causeway Connecting Littlejohns with Chebeague Island. (H. P. 275) (L. D. 369) — In House Failed of Enactment.

Tabled — June 13, by Mr. Wellman of Bangor.

Pending — Motion of Mr. Mendes of Topsham to Reconsider.

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

Mr. PRINCE: Mr. Speaker, Ladies and Gentlemen of the House: I hope that many of you that opposed this measure yesterday, would reconsider and give this your favorable consideration. Thank you.

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

Mr. BENSON: Mr. Speaker, I move that item five be tabled until the second legislative day.

Thereupon, the Bill was tabled pending the motion of Mr. Mendes of Topsham to reconsider the action of the House whereby the Bill failed of enactment and specially assigned for Tuesday, June 18.

The SPEAKER pro tem: The Chair now lays before the House an item tabled until later in the day. This being item eight, a non-concurrent matter, Bill "An Act relating to Operating Business on Sunday and Certain Holidays," House Paper 930, Legislative Document 1364; tabled by the gentleman from York, Mr. Rust, pending the motion of the gentleman from Rockland, Mr. Knight, to recede and concur.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I understand that leadership is going to table this until Tuesday next for further consideration, and I would yield to the gentleman from Kennebunkport, Mr. Tyndale.

Thereupon, on motion of Mr. Tyndale of Kennebunkport, the Bill was tabled pending the motion of Mr. Knight of Rockland to recede and concur with the Senate and specially assigned for Tuesday, June 18.



On motion of Mr. Waltz of Waldoboro, the House voted to take from the table the first tabled and unassigned matter:

Bill "An Act to Incorporate the Town of Waldoboro School District." (H. P. 548) (L. D. 764) — (Filing H-77)

Tabled — March 6, by Mr. Waltz of Waldoboro.

Pending — Passage to be Engrossed.

Mr. Waltz of Waldoboro offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 548, L. D. 764, Bill, "An Act to Incorporate the Town of Waldoboro School District."

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

Further amend said Bill by adding after section 9 a new section to read as follows:

**'Sec. 10. School Administrative District authorized for Friendship, Washington and Waldoboro School District.** After this act takes effect as provided, the municipalities of Friendship and Washington and the Town of Waldoboro School District shall be exempted from the limitations provided in the Revised Statutes of 1954, chapter 41, sections 111-E-1 to 111-U-1, to take the necessary action to allow the municipalities of Friendship and Washington to form a School Administrative District with the Town of Waldoboro School District.

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

Further amend said Bill by striking out all of the headnote of the referendum and by striking out all of the first sentence of the refer-

endum and inserting in place thereof the following:

**'Referendum; effective date.** This act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the voters of the Town of Waldoboro at any regular or special town meeting called for the purpose not later than 6 months after the effective date of this act.'

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

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

Mr. HENDSBEE: Mr. Speaker, Ladies and Gentlemen of the House: Yesterday in our National Capitol, a young lady from the Town of Winslow finished second in the National Spelling Contest throughout the United States. I think that is a very high and significant honor for our State of Maine and for our City of Winslow or Town of Winslow whatever it is. I am sure that many of us here in the House do not want to let an occasion of that kind go by unnoticed. It is seldom that we have an opportunity to praise young people who have done so much, and what it can mean to the life of this young individual to have arisen to such a point—the first time in the history of the State of Maine that a contestant ever did so well. I trust that before many more legislative days go by, an Order will be introduced possibly by the gentleman from Winslow, paying tribute to this young lady. I thank you. (Applause)

The following paper from the Senate was received out of order:

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet at ten o'clock in the morning on Monday, June 17. (S. P. 630)

Came from the Senate today read and passed.

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

Mr. Levesque of Madawaska was granted unanimous consent to briefly address the House.

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: On behalf of the people of Madawaska, the Town of Grand Isle and the district that I represent, and in view of the coming weekend being Father's Day and the prayer that was offered this morning at the be-

ginning of the session, it is now the wishes of the district that I represent to wish all the fathers of the State of Maine a Happy Father's Day this coming Sunday. (Applause)

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On motion of Mr. MacLeod of Brewer,

Adjourned until Monday, June 17, at ten o'clock in the morning.