

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

VOLUME II

MAY 10 - JUNE 22, 1963

and

SPECIAL SESSION

JAN. 6 - JAN. 17, 1964

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, June 20, 1963

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

Prayer by the Rev. Mr. John Meisner of Dover-Foxcroft.

The journal of yesterday was read and approved.

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

Mr. WELLMAN: Mr. Speaker, I ask unanimous consent that unless previous notice is given to the Clerk of the House by some member of his or her intention to move reconsideration, the Clerk be authorized today to send to the Senate, thirty minutes after the House recesses for lunch and also thirty minutes after the House adjourns for the day, all matters passed to be engrossed in concurrence, and all matters that require Senate concurrence; and that after such matters have been so sent to the Senate by the Clerk, no motion to reconsider shall be in order.

There being no objection, the consent was so granted.

Papers from the Senate

From the Senate: The following Orders:

Tabled

ORDERED, the House concurring, that the Legislative Research Committee is directed to study the feasibility of amending the Revised Statutes of 1954, Chapter 34, to grant the power of eminent domain to the State Soil Conservation Committee, or any other agency, for the purposes set forth in Chapter 34; and, the granting of the power of levying assessments by either the State Soil Conservation Committee or the local soil conservation districts, or by both, for the purposes set forth in Chapter 34; and, any other related matters; and be it further

ORDERED, that the Legislative Research Committee report the results of its study to the 102nd Legislature (S. P. 634)

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.)

Amended in House

ORDERED, the House concurring, that the Majority and Minority Reports of the Joint Select Committee on Railroad Passenger Service, created under Joint Order S. P. 196, be referred to the Legislative Research Committee for study in connection with Joint Order S. P. 580 directing the Committee to study the transportation needs of the State (S. P. 636)

Came from the Senate read and passed.

In the House the Order was read.

Mr. Ewer of Bangor offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to Senate Joint Order S. P. 636 relative to Legislative Research Committee considering reports of Committee on Railroad Passenger Service.

Amend said Order by striking out all after the word "concurring" in the first line thereof and inserting in place thereof the following:

'that copies attested by the Secretary of the Senate of the Majority and Minority Reports of the Joint Select Committee on Railroad Passenger Service created by Joint Order S. P. 196 be transmitted to the Legislative Research Committee for study in connection with Joint Order S. P. 580 directing the Committee to study the transportation needs of the State.'

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

Mr. EWER: Mr. Speaker, Ladies and Gentlemen of the House: The wording of the House Amendment which I have just presented is, it seems to me, a little bit more in accord with what it should be; and yet it accomplishes the same result. That is, a complete airing of our state's transportation needs in all fields, air, sea and land. It does

also avoid the establishment of a new precedent by keeping control of legislative studies in the hands of the Legislative Committee instead of one of the general public. And it also avoids setting up any extra study committee. Therefore, I move the passage of this amendment.

Thereupon, House Amendment "A" was adopted. The Order as amended by House Amendment "A" was passed in non-concurrence and sent up for concurrence.

Non-Concurrent Matter

Bill "An Act Repealing Supplemental State Aid for Reorganized School Districts" (H. P. 25) (L. D. 49) which was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "C" in the House on June 18.

Came from the Senate with the "Ought not to pass" as covered by other legislation Report of the Committee on Education accepted in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Gorham, Mr. Treworgy.

Mr. TREWORGY: Mr. Speaker, I move that the House insist on its former action and ask for a Committee of Conference.

The SPEAKER: The gentleman from Gorham, Mr. Treworgy, moves that the House insist on its former action and ask for a Committee of Conference.

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

Mr. BREWER: Mr. Speaker, I now move that we recede and concur with the Senate.

The SPEAKER: The gentleman from Bath, Mr. Brewer, moves that the House recede and concur.

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

Mr. EASTON: Mr. Speaker, I would hope that this House would continue in the action which it took a few days ago on this bill, thus defeating the motion to recede and concur and later on accepting the motion to insist. We are asking for the Committee of Conference. As everyone is well aware, if the other members of

that Committee of Conference refuse to go along with a compromise or anything remotely resembling a move in the right direction in this particular instance, why the bill is dead. It is a rather nice way of burying a bill if one has to bury it. I hope this motion to recede and concur is defeated.

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

Mr. MCGEE: Mr. Speaker, I hope the motion to recede and concur is defeated, and we can have this in existence until this other bill we are waiting for is returned and we have action on it, and I believe that the gentleman from Bath, Mr. Brewer, after thinking that over and knowing the explanation, would be satisfied with this movement.

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

Mr. LITTLEFIELD: Mr. Speaker, I would be in favor of receding and concurring with the Senate in their "Ought not to pass" as covered by other legislation. I don't wish to belabor the bill any further by much argument, except to state that we in the Town of Hampden have done our best for the boys and girls in our town to give them an education under the laws that were on the Maine books. We have come over here in this legislative session, and I have sat back reading these bills trying to make some head and tail from them. There are quite a number. Now my back is at the wall, and I would favor the motion to recede and concur.

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

Mr. EWER: Mr. Speaker, I move this be tabled until the next legislative day.

Thereupon, on a viva voce vote, the tabling motion did not prevail.

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

Mr. KENT: Mr. Speaker, Ladies and Gentlemen of the House: We have given favorable support to this in the House twice, and I would hope that this motion to recede and concur would be de-

feated so that we might have a committee of conference on this and certainly give it at least its fair chance. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Mr. Treworgy.

Mr. TREWORGY: Mr. Speaker, I readily admit that this matter is covered by other legislation, but the ultimate destiny of this other legislation has not been determined. It has not received its third reading yet, so for this reason I would like to ask for a committee of conference on this matter until the disposition of the other legislation can be established.

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

Mr. LITTLEFIELD: Mr. Speaker, the date on this bill, L. D. 49 is January 9, 1963. We have had six months to study and argue about the bill, and I think we have come pretty near the end of the rope, and I still favor the motion to recede and concur with the Senate in the "Ought not to pass" Report as covered by other legislation.

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

Mr. BRAGDON: Mr. Speaker, Members of the House: There are many educational bills that have not been settled. I agree with the House members of the Education Committee and their request for a committee of conference. It seems to me a committee of conference is always a courteous method, and I believe these bills can well be resolved in that committee.

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

Mr. HARRINGTON: Mr. Speaker, Members of the House: I highly agree with Mr. Treworgy. We have been here a long time on education, and I believe now we are watching the last desperate attempt to scuttle all the work that we have so patiently voted for, and I certainly hope we go along with Mr. Treworgy.

The SPEAKER: Is the House ready for the question? The question before the House is the mo-

tion of the gentleman from Bath, Mr. Brewer, that the House recede and concur with the Senate.

Mr. Dunn of Poland then requested a division.

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

A division of the House was had.

Forty-four having voted in the affirmative and fifty-seven having voted in the negative, the motion to recede and concur did not prevail.

Thereupon, on motion of Mr. Treworgy of Gorham, the House voted to insist on its former action and request a committee of conference.

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

Messrs. TREWORGY of Gorham
EASTON of Winterport
McGEE of Auburn

Non-Concurrent Matter

Bill "An Act relating to Salaries of County Officials and Municipal Court Judges and Recorders" (S. P. 628) (L. D. 1589) which was passed to be engrossed as amended by House Amendment "A," "B" and "D" and Senate Amendment "B" in the House on June 18.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Senate Amendment "B."

In the House:

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker, Members of the House: This matter has been very thoroughly aired, and I now move that this House insist on its former action and ask for a committee of conference.

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

Mr. COTE: Mr. Speaker, I move that we recede and concur.

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

Mrs. SHAW: Mr. Speaker, I want to concur with the gentleman from Lewiston, and I do hope that the House recedes and concurs with the Senate on this matter.

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

Mr. CROMMETT: Mr. Speaker, I support the motion of the gentleman from Houlton, Mr. Berman. This has been thoroughly aired in this House. Passed. When the vote is taken, I ask for a division.

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

Mr. CHILDS: Mr. Speaker, through the Chair, I would like to ask the gentlewoman, Mrs. Shaw, just what is happening now. I have lost track of this again. What are we doing if we go along with the Senate?

The SPEAKER: The gentleman from Portland, Mr. Childs, poses a question through the Chair to the gentlewoman from Chelsea, Mrs. Shaw, who may answer if she chooses.

The Chair recognizes the gentlewoman.

Mrs. SHAW: Mr. Speaker, would it be possible for the Clerk to review the Senate's action on this bill. To reread the action.

The CLERK: The Bill was passed to be engrossed as amended by House Amendments "A," "B," and "D" and Senate Amendment "B" in the House on June 18. It now comes from the Senate, that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Senate Amendment "B" only.

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

Mrs. SHAW: Would the Clerk be so kind as to tell us the contents of Senate Amendment "B." That would answer the gentleman's question.

Thereupon, Senate Amendment "B" was then read by the Clerk.

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

Mr. JALBERT: Mr. Speaker, in answer to the gentleman from Portland, Mr. Childs, this amendment concerns Somerset County.

We are back to the original bill which said that the pay raises would start in the last quarter, October 1.

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

Mr. SNOW: Mr. Speaker, Ladies and Gentlemen of the House: I realize this is a bill taking care of all the counties. However, speaking for my own county of Washington, there is a pay raise in there that was put in first incorrectly and then was raised \$200. The particular position in my county at the present time unless we get a loan through, we can't even pay the regular salaries next month, and this does not deserve to be there. That is why I would like to have a committee of conference on this matter to pick this one thing from there. Thank you.

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

Mr. CROMMETT: Mr. Speaker, with the exception of the House Amendment that was introduced by the gentleman from Jonesboro, Mr. Snow, and the amendment introduced by the gentleman from Houlton, Mr. Berman, the main question at issue is the effective date. I have talked on this several occasions. The effective date as agreed to was January 1, 1964. Very simple, my point of reasoning in all fairness. That is what I want. And the majority of this House has gone along with me, and now I support the motion of the gentleman from Houlton, Mr. Berman.

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

Mrs. SHAW: Mr. Speaker, I do hope that the House will recede and concur and when the vote is taken, I request a division.

The SPEAKER: A division has been requested. Is the House ready for the question? The question before the House is the motion of the gentleman from Lewiston, Mr. Cote, that the House recede from its former action and concur with the Senate. All those in favor will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-three having voted in the affirmative and fifty-eight having voted in the negative, the motion to recede and concur did not prevail.

Thereupon, on motion of Mr. Berman of Houlton, the House voted to insist on its former action and request a committee of conference.

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

Messrs. BERMAN of Houlton
 CROMMETT of
 Millinocket
 SNOW of Jonesboro

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

Non-Concurrent Matter

Bill "An Act Providing for Public Facilities for Boats" (H. P. 1097) (L. D. 1573) which was passed to be engrossed as amended by House Amendment "A" in the House on June 18.

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

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

Orders

On motion of Mr. Knight of Rockland, it was

ORDERED, that Mr. Knight of Rockland, Mr. Maddox of Vinalhaven and Mr. MacPhail of Owl's Head be excused from attendance August 2nd, 3rd and 4th in order that they may attend the Maine Seafood Festival at Rockland.

Mr. MacLeod of Brewer presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the State Controller, by January 20, 1965, supply for use of

the Legislature two hundred copies of a list of State Employees with their salaries as of November 1, 1964; and be it further

ORDERED, that said lists be distributed, one to each member of the Senate, House and Council; two to the Executive; one to the Secretary of the Senate; one to the Clerk of the House; and the balance to the State Librarian for exchange purposes. (H. P. 1120)

The Order received passage and was sent up for concurrence.

On motion of Mr. Finley of Washington, it was

ORDERED, that Terry Seegars of Augusta and Paul Denbow of Lubec be appointed to serve as Honorary Pages for today.

The SPEAKER: The Sergeant-at-Arms will retire to the rear of the Hall of the House and escort the Honorary Pages to their positions. Terry Seegars is the son of Dr. Seegars, formerly of Virginia and now of Augusta, Maine; and Paul Denbow is the son of Representative Sherman Denbow of Lubec. (Applause)

At this point, Terry Seegars and Paul Denbow were escorted to the well of the Hall of the House by the Sergeant-at-Arms.

Mr. Drake of Bath presented he following Order and moved its passage:

Whereas, Miss Jane G. Thayer of Bath was elected Governor at this year's Dirigo Girls' State sponsored by the American Legion Auxiliary; and

Whereas, the people of Maine are justly proud of this achievement; now, therefore, be it

ORDERED, That the House of Representatives of the State of Maine extend congratulations to Miss Jane G. Thayer for her accomplishment and wish her every success in the future; and be it further

ORDERED, That an attested copy of this order be immediately transmitted by the Clerk of the House of Representatives to Miss Thayer. (Applause)

The Order received passage.

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

Bill "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1964 and June 30, 1965" (S. P. 632) (L. D. 1595)

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

(On motion of Mr. MacLeod of Brewer, tabled pending passage to be engrossed and specially assigned for later in today's session.)

Passed to Be Engrossed

Bill "An Act Providing for Separate Voting Place for Connor" (H. P. 728) (L. D. 1057)

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

**Third Reader
Amended**

Bill "An Act to Pay School Subsidies on the Basis of Uniform Local Effort" (S. P. 629) (L. D. 1593)

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

Mr. Curtis of Bowdoinham offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 629, L. D. 1593, Bill, "An Act to Pay School Subsidies on the Basis of Uniform Local Effort."

Amend said Bill in section 4 by striking out in the 2nd line of the 3rd paragraph of that part designated "Sec. 237-E." the underlined figure "25" and inserting in place thereof the underlined figure '18'

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

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

Mr. BREWER: Mr. Speaker and Members of the House: I do not intend to make a motion; I just wanted to point out that under the twenty-five mill rate there would be a loss in subsidy to

the towns and cities, but under the proposed amendment dropping the mill rate to eighteen mills there will be an additional three—approximately three point five million dollars in additional subsidy that the State will have to pick up the tab for, and where we are going to get it, I have no idea.

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

Amended Bills

Bill "An Act Appropriating Moneys for General Operating Expenses of the University of Maine" (H. P. 517) (L. D. 734)

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

Bill "An Act Providing for Trademarks under Maine Sardine Tax Law" (S. P. 189) (L. D. 488)

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

Passed to Be Enacted

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

An Act relating to Exempting from Property Tax Pleasure Boats in the State for Storage (H. P. 1092) (L. D. 1567)

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

Finally Passed

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

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

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

Mr. LITTLEFIELD: Mr. Speaker, this bill is a resolve for development of revenue producing park facilities on Mt. Battie. Some time ago we had a picture of Mt. Battie. You can see that it is solid rock on the top. They have asked for \$150,000 to start to build a highway. Before it is finished it will be a considerably larger amount than this. The view is a beautiful view, but it is not beyond other views that are in that area. I think it is too bad to spend so much money to benefit a few at this time and I would therefore move to indefinitely postpone this bill and all its papers.

The SPEAKER: The gentleman from Hampden, Mr. Littlefield, now moves the indefinite postponement of Resolve for Development of Revenue Producing Park Facilities on Mt. Battie, L. D. 567.

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

Mr. HARDY: Mr. Speaker, we grant the gentleman from Hampden, Mr. Littlefield, that Mt. Battie is all rock on that front side, but there is no ledge on the back side and a competent highway survey has indicated that that road may be built for the \$100,000 that this bill has been amended down to. I ask for a division when the vote is taken.

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

Mrs. SMITH: Mr. Speaker, I too hope you will go along with passing this bill and allowing this park to become a reality after all the times it has been here. I think we need it in the area and this has been cut to see if we can make it fit the package and I hope you will go along with it.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Hampden, Mr. Littlefield, that item 3 be indefinitely postponed. A division has been requested. All those in favor of the indefinite postponement of this Resolve will rise and

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

A division of the House was had. Twenty-five having voted in the affirmative and seventy having voted in the negative, the motion did not prevail.

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

Resolve Appropriating Moneys for Additional Faculty Positions at Gorham State Teachers College (H. P. 524) (L. D. 741)

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

Orders of the Day

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

An Act relating to Investigation of Motor Vehicle Accidents by Highway Safety Committee (S. P. 492) (L. D. 1344)—in House indefinitely postponed—in Senate engrossed with Senate "A" to Senate "B" in non-concurrence. (S-296) and (S-256)

Tabled—June 18, by Mr. Smith of Bar Harbor.

Pending—Motion of Mr. Childs of Portland to insist.

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

Mr. CHILDS: Mr. Speaker, with my motion, I would like to also request a Committee of Conference.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that the House insist on its former action and ask for a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

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

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)

Tabled—June 18, by Mr. Wellman of Bangor.

Pending—Passage to be Enacted.

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

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

The SPEAKER: Is it now the pleasure of the House that this bill be passed to be enacted? This being an emergency measure, under the Constitution it requires for enactment a two-thirds vote of the entire elected membership of the House. All those in favor of its enactment as an emergency measure will rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

One hundred voted in the affirmative and three voted in the negative.

Mr. WELLMAN: Mr. Speaker?

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

Mr. WELLMAN: I request the vote be taken by the yeas and nays.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, now moves that the vote be taken by the yeas and nays. For the Chair to order a roll call it must have the expressed desire of one-fifth of the membership present. All those in favor of a roll call will rise and be counted.

More than one-fifth arose.

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

Mr. HARDY of Hope: Mr. Speaker, how many votes are necessary on this?

The SPEAKER: 101 votes are needed.

The Chair recognizes the gentleman from York, Mr. Rust. For what purpose does the gentleman arise?

Mr. RUST: I rise to a point of parliamentary inquiry.

Would it be possible to suspend the rules so that we could reconsider our action whereby this bill failed of enactment so we could take another division?

The SPEAKER: A roll call has been ordered.

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

Mr. DUDLEY: Mr. Speaker, I think there are quite a few members in the House that don't realize what they are voting for. Would someone care to elaborate on the subject before we vote?

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

Mr. JALBERT: This is the supplemental budget that was engrossed in this House a few days ago. I'm sorry, I didn't know it was item 2, I thought it was item 3. I beg your pardon.

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

Mr. WELLMAN: Mr. Speaker, this Act as it indicates in the title combines the two offices of the Administrative Hearing Officer and the Hearing Examiner for the Liquor Commission, makes it one position.

The SPEAKER: The pending question is on the enactment of item 2 on page 3 of your House Advance Journal and Calendar on Unfinished Business, "An Act Combining the Offices of the Administrative Hearing Officer and the Hearing Examiner for the Liquor Commission and Revising the Administrative Code," Legislative Document 1356. It requires 101 votes for enactment.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I would like to inform you that this bill received the unanimous report of the Committee on Judiciary. It is one of our very important bills since it relates to the administrative hearings of all of our various departments, and I certainly hope that everyone will see fit to go along with this and support it one hundred percent.

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

Mr. JALBERT: Mr. Speaker, now that I am back in gear, I would like to pose a question to any member of the Committee, does this bill save \$10,000?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a question through the Chair to any member of the Judiciary Committee who may answer if they so desire.

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

Mr. PEASE: Mr. Speaker, the estimated saving in this bill or with this piece of legislation is somewhere between \$7,000 and \$10,000 to the state, by combining two offices into one office, that of the Administrative Hearing Commissioner which replaces the Administrative Hearing Officer and the Liquor Hearing Officer.

The SPEAKER: Is the House ready for the question? The pending question is the enactment of this bill, 101 votes being required. All those in favor of the enactment of this bill as an emergency measure will answer "yes" when their name is called. All those opposed will answer "no" when their name is called. The Clerk will call the roll.

ROLL CALL

YEA — Anderson, Ellsworth; Anderson, Orono; Ayoob, Baldic, Bedard, Benson, Berman, Berry, Binnette, Birt, Blouin, Boissonneau, Boothby, Bourgoin, Bragdon, Brewer, Brown, Fairfield; Brown, So. Portland; Carter, Cartier, Chapman, Childs, Choate, Cote, Cottrell, Coulthard, Crockett, Crommett, Curtis, Davis, Denbow, Dennett, Dostie, Drake, Dudley, Dunn, Easton, Edwards, Ewer, Finley, Foster, Gallant, Gifford, Gill, Gustafson, Hanson, Hardy, Harrington, Hawkes, Hendricks, Hendsbee, Henry, Humphrey, Hutchins, Jalbert, Jameson, Jewell, Jobin, Jones, Karkos, Kent, Kilroy, Laughton, Lebel, Levesque, Libby, Lincoln, Linnekin, Littlefield, MacGregor, MacLeod, MacPhail, Maddox, Mathieson, McGee, Meisner, Mendes, Mower, Nadeau, Norton, Oakes, Oberg, O'Leary, Osborn, Osgood, Pease, Philbrick, Pierce, Pitts, Poirier, Prince, Harpswell; Prince, Oakfield; Rand, Rankin, Reynolds, Richardson, Ricker, Roberts, Roy, Rust, Sahagian, Scott, Shaw, Smith, Falmouth; Smith, Strong, Snow, Susi, Thaanum, Thornton, Town-

send, Treworgy, Turner, Tyndale, Wade, Waltz, Watkins, Welch, Wellman, White, Guilford; Whitney, Williams, Wood, Young.

NAY — Bussiere.

ABSENT — Albair, Bernard, Braeden, Burns, Cookson, Cope, Cressy, Gilbert, Hammond, Hobbs, Knight, Lowery, Minsky, Noel, Plante, Ross, Augusta; Ross, Brownville; Smith, Bar Harbor; Tardiff, Taylor, Vaughn, Viles, Ward, Waterman, Wight, Presque Isle.

Yes, 123; No. 1; Absent, 25.

The SPEAKER: The Chair will announce the vote. 123 having voted in the affirmative, one having voted in the negative, with 25 being absent, the bill is passed to be enacted.

Thereupon, the Bill was signed by the Speaker and sent to the Senate.

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

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)

Tabled—June 18, by Mr. Wellman of Bangor.

Pending—Passage to be Enacted.

On motion of Mr. Wellman of Bangor, retabled pending passage to be enacted and assigned for later in today's session.

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

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 18, by Mr. Berry of Cape Elizabeth.

Pending—Acceptance of Majority Report.

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

Mr. DENBOW: Mr. Speaker, Ladies and Gentlemen of the House: First, I would like to explain my action on this bill, and my reason for presenting it. It has no party connections in either party. It was simply put in to help raise funds that we will sadly need. At the present time we have no guarantee that the sales tax will be increased, and although the amount of money is comparatively small, it still might come in handy because it will bring in quite a bit of money. Now I'd like to explain my feelings on why I'm presenting such a tax. In the first place, I regard liquor in three categories. One, as a medication where the added cost would be practically meaningless. The second, I regard it as a luxury to the people who can't afford it. The third, I regard it an evil when used to excess, and I think that anybody that buys or uses liquor will not resent too much the increase.

I will now explain about the money it will bring in, and how. In L. D. 1212 as you've noticed, the increase in tax on liquor is 75 percent based on cost. Many people have confused the issue by thinking that it means a 10 percent increase in the retail price, which is not true. And in breaking this down, I've taken this up with the figures from the Liquor Commission, the selling price of a pint of whiskey which sells at retail for \$2.00 will be increased by 9.36 cents, or roughly 10 cents per pint. Based on \$4.00 a bottle, it will be approximately 20 cents per bottle.

I had this feeling in the matter that this increase actually amounts to a little less than four and a half percent on the retail sales, and I would like to bring to your attention that if we increase the sales tax, it is being increased by 33.3 percent. And, I do not think this request is unreasonable.

Another thing that will be mentioned probably, some people think this might hurt the summer trade in the cocktail lounges. I

don't know how many drinks there are in a quart, but I presume a nickel on a drink would not bother anybody too much if they wanted it, and I know it would more than amply take care of it.

So I would like to support the "Ought to pass" Report, and I would like to have the House, if they will do so, go along with this item to get it on its way, and if the sales tax is increased to 4 percent, and it's not needed, then it can be killed in the third reading and withdrawn. Because I don't believe in putting on a tax that's unnecessary no matter what it is. That's my feeling, and that's my belief. I would like to move that the "Ought to pass" Report be accepted.

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Wood.

Mr. WOOD: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Taxation Committee and a signer of the "Ought to pass" Report on this Act, I would like to explain how I feel about this. You ladies and gentlemen here know that our penal institutions in the State of Maine are overcrowded, our state prison, our county jails. Our mental institutions are overcrowded. We have a large number of broken homes in the State of Maine. We are paying out thousands and thousands of dollars every year to support A.D.C. children where the fathers and mothers have broken up, and a good part of this is caused by the liquor traffic in the State of Maine. I sincerely believe that liquor should pay more of its share for the damage that it does. That's why I take the stand that I do on this issue.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: I agree with what the gentleman who just spoke has said. Yet that is not my reason for supporting this. My reason for supporting this is what the gentleman who presented this, Mr. Denbow, Representative Denbow said. It simply would seem

it's something whereby if the sales tax does not receive passage but while we could stay in business, and we might need some other taxes, but this would be one. So I hope that we go along with this bill.

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

Mr. RUST: Mr. Speaker, I would request a division if one has not been requested.

The SPEAKER: A division has been requested. The pending question is the acceptance of the Majority Report, and the Majority Report was "Ought not to pass, which has been reconsidered. Thus the pending question would be the acceptance of the Majority Report.

Mr. DENBOW of Lubec: I thought it was reconsidered and we could now accept the Minority "Ought to pass" Report.

The SPEAKER: The pending motion would be the acceptance of the Majority Report. For the information of the House, the Chair will state that the House had accepted the Majority "Ought not to pass" Report. However, this was reconsidered, but the pending question that's still before us is the acceptance or the rejection of the Majority Report.

Mr. DENBOW of Lubec: Then the motion I should make is that the Majority Report be rejected, is that right? I would so move.

The SPEAKER: The gentleman can speak against the acceptance of the Majority Report.

Mr. DENBOW: Then I hope the House votes "no" on the pending question.

The SPEAKER: All those in favor of the acceptance of the Majority Report — a division has been requested.

All those in favor of accepting the Majority "Ought not to pass" Report on Bill "An Act Increasing the State Liquor Tax" will rise and remain standing in your places until the monitors have made and returned the count.

A division of the House was had.

Three having voted in the affirmative, and ninety having voted in the negative, the motion to

accept the Majority "Ought not to pass" Report did not prevail.

The SPEAKER: Is it now the pleasure of the House to accept the Minority "Ought to pass" Report?

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

Mr. BUSSIERE: Mr. Speaker, I now move that both Reports and the Bill be indefinitely postponed, and I request a division.

The SPEAKER: The gentleman from Lewiston, Mr. Bussiere, now moves the indefinite postponement of both Reports and Bill "An Act Increasing the State Liquor Tax." The Chair will order a division.

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

The motion is obviously lost. Is it now the pleasure of the House to accept the Minority "Ought to pass" Report?

Thereupon, the Minority "Ought to pass" Report was accepted, the Bill read twice and assigned for third reading at 2:30 this afternoon.

The Chair laid before the House the fifth 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 18, by Mr. Wellman of Bangor.

Pending—Acceptance of Report.

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: Along with what I said the other day regarding this bill, I would like to report to the House that the Employment Security Law revisions are now in quite heavy negotiation, and we should be hearing from the negotiation in a matter of hours, possibly two days. I am hoping that somebody will table this for two legislative days.

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

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

The SPEAKER: The gentleman from Manchester, Mr. Gifford, moves that item 5 be retabled for the second legislative day.

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

Mr. WELLMAN: I would ask this be tabled until the next legislative day.

The SPEAKER: The longer time has precedence over the shorter time.

Mr. GIFFORD: Mr. Speaker, I will withdraw my motion in favor of that of the gentleman from Bangor, Mr. Wellman.

Thereupon, on motion of Mr. Gifford of Manchester, the matter was tabled until tomorrow pending acceptance of the Report.

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

Bill "An Act to Authorize the Construction of Self-Liquidating Student Housing for the State Teachers Colleges and the Issuance of not Exceeding \$1,434,000 Bonds of the State of Maine for the Financing Thereof." (S. P. 94) (L. D. 231)—Committee "A" (Filing S-304) House "A" (Filing H-482)—Both amendments read.

Tabled—June 19, by Mrs. Smith of Falmouth.

Pending—Adoption of House "A" to Committee "A".

Mr. Pierce of Bucksport withdrew House Amendment "A" to Committee Amendment "A".

Thereupon, Committee Amendment "A" was adopted, and the Bill assigned for third reading at 2:30 this afternoon.

On motion of Mr. Wellman of Bangor

Recessed until 1:30 this afternoon.

After Recess
1:30 P. M.

Called to order by the Speaker.

Order Out of Order

Mr. Prince of Oakfield presented the following Order out of order and moved its passage:

ORDERED, the Senate concurring, that Resolve, Providing Increases in Retirement Allowances for Certain Retired Fish and Game Wardens (S. P. 255) (L. D. 629) be recalled from the Legislative files to the House for the purpose of reconsideration.

The SPEAKER: Is it the pleasure of the House that this Order shall receive passage? This is under the two-thirds rule, and a division must be had. All those in favor of the passage of this Order, will 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 forty-two having voted in the negative, the Order failed of passage.

The SPEAKER: Is there objection to taking up at this time, your Supplemental Journal No. 1? The Chair hears none, the matters may be taken up.

Papers from the Senate Non-Concurrent Matter

An Act relating to Work on Shade and Ornamental Trees (H. P. 240) (L. D. 308) which was passed to be enacted in the House on May 22 and passed to be engrossed as amended by Committee Amendment "A" and House Amendments "B" and "D" on May 15, and which was recalled from the Governor's Office to the Senate by Joint Order (S. P. 610)

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

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

Non-Concurrent Matter

Bill "An Act Shortening the Period of Real Estate Mortgage Foreclosure" (S. P. 596) (L. D.

1563) which was indefinitely postponed in non-concurrence in the House on June 19.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Senate Amendments "A" and "C" and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. FARRIS of Kennebec
CAMPBELL of Kennebec
STITHAM of Somerset

In the House: On motion of Mr. Gifford of Manchester the House voted to insist on its former action and join in a Committee of Conference.

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

Messrs. GIFFORD of Manchester
HARDY of Hope
CHILDS of Portland

Non-Concurrent Matter

Resolve in favor of Lloyd Talbot of Portland (S. P. 205) (L. D. 515) which was finally passed in the House on May 28 and passed to be engrossed on May 23.

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

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

Non-Concurrent Matter

An Act Providing for a Continuance of the Constitutional Commission (S. P. 83) (L. D. 190) which was passed to be enacted in the House on February 20 and on which further consideration was indefinitely postponed on June 19 after having come from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Senate Amendment "A" and asking for a Committee of Conference, with the following Conferees appointed on its part:

Mr. WHITTAKER of Penobscot
Mrs. CHRISTIE of Aroostook
Mr. LOVELL of York

In the House: On motion of Mr. Birt of East Millinocket, the House voted to insist and join in a Committee of Conference.

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

Messrs. DENNETT of Kittery
BERMAN of Houlton
JALBERT of Lewiston

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

Mr. KENT: A point of order.

The SPEAKER: Would the gentleman state his point.

Mr. KENT: In regards to the Resolve in favor of Lloyd Talbot, in this amendment, I notice it adds another Esther Davis to it, is that germane?

The SPEAKER: Does the gentleman pose a question through the Chair?

Mr. KENT: Yes, sir.

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

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

Mr. BREWER: Mr. Speaker, the amendment as proposed by the other branch is germane to the Resolve in favor of Lloyd Talbot. It is identical to the situation as presented in this amendment as to the resolve that was originally passed. In discussing late in the session with the gentleman from Poland, Mr. Dunn, he wanted to enter a bill which we felt at that time was too late in the session to accomplish. As it states here, these escapees were from the Boys Training Center, and this lady involved is a woman legislator from our sister state of New Hampshire. So we felt that rather than having her wait through another legislative session, two years hence, where this was germane to the original resolve, we felt that the amendment should be passed.

The SPEAKER: Is the gentleman satisfied with the answer?

Mr. KENT: I am.

Tabled and Assigned

From the Senate: The following Order:

ORDERED, the House concurring, that free telephone service be provided after final adjournment of the Legislature, during the remainder of the biennium, for each member of the Senate and House of Representatives, to the number of 50 calls of reasonable duration from the member's home to any state department, commission or agency within the limits of the State of Maine, and that each member of the Senate and House be provided with a card to be certified by the Secretary of the Senate and Clerk of the House, respectively, the cost of this service to be paid to the New England Telephone and Telegraph Company at regular tariff rates (S. P. 635)

Came from the Senate read and passed.

In the House the Order was read.

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

Mr. COPE: Mr. Speaker, I would like to ask a question of the Chair.

The SPEAKER: The gentleman may state his question.

Mr. COPE: Mr. Speaker, I was just curious whether an addition to this Order shall be included so that one member may call another member of the Legislature and be authorized.

The SPEAKER: The Chair is not in a position to interpret the effects of this Order.

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

Mr. HANSON: Mr. Speaker, may I ask a question?

The SPEAKER: The gentleman may state his question.

Mr. HANSON: Mr. Speaker, this states here, reasonable duration from a member's home to any state department; what about from his place of business?

The SPEAKER: The Chair still must answer the same. That it

is not my duty to interpret the intent of the Order.

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

Mr. WADE: Mr. Speaker, is a member of the Legislature regardless of which branch, considered an agency within the limits of the State of Maine?

The SPEAKER: The Chair gives the same answer, and the Chair recognizes the gentleman from York, Mr. Rust.

Mr. RUST: Mr. Speaker, I would inquire of the Chair if this is the usual legislative order of this nature?

The SPEAKER: The Chair would state that he is in doubt whether this is exactly the same Order.

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

Mr. KNIGHT: I would move this lie on the table for one legislative day, or until later in the session.

Thereupon, the Order was tabled pending passage in concurrence and specially assigned for tomorrow.

The SPEAKER: The Chair would refer to your House Advance Journal and Calendar, Unfinished Business on page four, item seven:

MAJORITY REPORT (9)—Ought to pass in New Draft "A" (H. P. 1116) (L. D. 1599)—MINORITY REPORT (6)—Ought to pass in New Draft "B" (H. P. 1117) (L. D. 1600)—Committee on Constitutional Amendments and Legislative Reapportionment on Resolve, Proposing an Amendment to the Constitution Affecting the Election Powers and Apportionment of the House of Representatives." (H. P. 1030) (L. D. 1495)

Tabled—June 19, by Mr. Wellman of Bangor.

Pending—Motion of Mr. Berman of Houlton to Accept Majority Ought to pass Report.

On motion of Mr. Wellman of Bangor, tabled pending the motion of Mr. Berman of Houlton to accept the Majority Report and specially assigned for tomorrow.

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

Bill "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for the Fiscal Years Ending June 30, 1964 and June 30, 1965." (H. P. 1109) (L. D. 1591)

Tabled—June 19, by Mr. Wellman of Bangor.

Pending — Passage to be En-grossed.

Mr. Anderson of Ellsworth offered House Amendment "B" to L. D. 1591 and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 1109, L. D. 1591, Bill, "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for the Fiscal Years Ending June 30, 1964 and June 30, 1965"

Amend said Bill under the caption "FINANCE AND ADMINISTRATION, DEPARTMENT OF" by striking out from the paragraph entitled "Bureau of Public Improvements" the lines:

"Acquisition and Renovation of Internal Revenue Building	475,000	—
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Total Finance and Administra- tion, Department of	492,500	—"
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Further amend said Bill by correcting the totals therein affected by the adoption of this amendment.

The SPEAKER: The gentleman may proceed.

Mr. ANDERSON: Mr. Speaker, Members of the House: I think probably you all know the state is desirous of buying the Internal Revenue Building, which is just below the State House on the left. I don't think we need this building any more than we need a hole in our heads. In the State House and new office building there are adequate facilities for any new programs which might come up in the state. I think we could use this half a million dollars to much better advantage. I urge the passage of this amendment.

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

Mrs. SMITH: Mr. Speaker and Members of the House: This is a problem that the Appropriations Committee dealt with, talked about and considered considerably. It is about a half a million dollars. However, we have an option on this building to buy it. We have some functions over in the Vickery Hill building. For instance some of the books from the Library are over there. They have to be by necessity. We are already so short of space. We had to put on an extra person there—or we did, because of getting the books back and forth. This building, as I understand it, is a very old building. And although at this present time we do not need this right at the moment for office space, the time will be with us very soon when we will. Whether we want to accept that fact or not, I assure you this is one of the facts of life.

Now this building would cost a great deal more to build, if you had to build it, and we will be in the position in the not too far distant future when we will have to build another office building. It may be one of the sad facts of life, but it is one of the facts of life. We felt that we should pick up that option. However, if you feel that you do not wish to, you are business people, you know what it costs to build as well or better than I do, and that's up to you. But that is the reason that we picked up the option, because we felt that in the long run, it would save us money.

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

Mr. MacLEOD: Mr. Speaker, the gentlewoman from Falmouth, Mrs. Smith, has admitted that there is no need currently for this building, and it is my understanding that this building is privately owned. It is on lease by the government for the Internal Revenue, and it returns to the City of Augusta approximately ten to twelve thousand dollars. I don't know which of those figures is correct, in taxes right now. And

this would be a loss to the City of Augusta if it is taken over by the state. I don't think it's going to go anywhere because there are few customers in Augusta, I would presume, for a building of that size. And as long as it is still under private ownership, I would suggest that until there is an urgent need for it, let those taxes still be paid to the City of Augusta.

The SPEAKER: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker, if I'm order, I move for indefinite postponement of this and all accompanying papers.

The SPEAKER: Does the gentleman mean the bill itself?

Mr. SAHAGIAN: The bill and all the amendments.

The SPEAKER: The gentleman is not in order. The amendment must be disposed of prior to other motions.

Mr. SAHAGIAN: I now move for indefinite postponement of the amendment.

The SPEAKER: The gentleman from Belgrade, Mr. Sahagian, moves the indefinite postponement of House Amendment "B."

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

Mr. ANDERSON: Mr. Speaker, I am very much in opposition to that motion to indefinitely postpone this amendment. I think we should go along with it. If we buy this building, the state will invent some program to put in there, and that will mean costly furnishings and overstaffed employees. I certainly don't go along with the indefinite postponement.

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

Mr. HUMPHREY: Mr. Speaker, I am a member of the Appropriations Committee and signed this out, but since that I have got a lot of information in regard to the loss of taxes to the City of Augusta, and there are also two groups ready now to buy that building, and the city would not lose its taxes, and the amount of \$12,000 is the approximate amount

that the City of Augusta would lose in taxes. This information came from the Chairman of the Taxation Board in Augusta.

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

Mr. MINSKY: Mr. Speaker, I think the information given us by Mr. Humphrey is a reason why perhaps this should remain in the budget, and refutes the comments made by the gentleman from Brewer, Mr. MacLeod. It seems if there are two people now willing to buy this, for us to place a bid on this building at a later date would cost us a great deal more money than the price we have to pay for it. If I could have the assurance of Mr. MacLeod that no one would buy it for two years, I might go along with him, but I don't think he can give me that assurance. As far as the loss of taxes to the City of Augusta, I can only say this. When the City of Augusta finds the State Capitol burdensome, finds the parks we maintain burdensome, finds the payroll burdensome, and the rest of it, I think I can arrange to get the Capitol moved to Bangor.

The SPEAKER: Is the House ready for the question? The question before the House is the indefinite postponement.

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

Mr. HUMPHREY: Mr. Speaker, I happened to be at a same meeting the other night when Representative Minsky was there, and he probably heard the same words that I did, that this comes from the Chairman of State Taxation, and he said that the revenue from the Capitol being here wasn't as good as he might think it would be.

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

Mr. ANDERSON: Mr. Speaker, when the vote is taken, I request a division.

The SPEAKER: A division has been requested.

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

Mr. WIGHT: Mr. Speaker, I am a bit concerned with this bill because of the option that was taken on it at the time that I was on the Council. I felt that there was a very sound investment for the state, and as perhaps some don't know, I was concerned about the zoning in and about Augusta where there are buildings, where the state cannot have buildings, and build. This is a building that I felt was a sound investment if we need buildings. I was also concerned at that time the rent that is being paid by the state for various locations both here, and I believe at that time, in Winthrop. They were looking for new locations for more space. I would be most interested to know at this time how much the state is paying in rentals in various offices here in Augusta and outside of Augusta that could be moved into that building, and save the state some money.

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

Mr. CHILDS: Mr. Speaker, I would like to inquire from any member of the Appropriations Committee what the state paid for the option.

The SPEAKER: The gentleman from Portland, Mr. Childs, poses a question through the Chair to the members as to what the state paid for the option if anyone cares to answer.

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

Mr. PIERCE: Mr. Speaker, I cannot answer the question of the gentleman from Portland, Mr. Childs, because of the statement made by the gentleman from Presque Isle. The option apparently was given prior to our convening of this session.

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

Mrs. SMITH: Mr. Speaker, I cannot answer the question, but it could be checked out in very few minutes. I assumed it was a paper transaction whereby this Legislature being out of session no one would have authority un-

til they came in. That's what I would assume it was, but I wouldn't want to stand on it until I had checked it out.

The SPEAKER: Is the House ready for the question? The question before the House is the indefinite postponement of House Amendment "B" and a division has been requested.

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

A division of the House was had.

Fifty-eight having voted in the affirmative and fifty-six having voted in the negative, the motion to indefinitely postpone prevailed.

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

Mr. RUST: Mr. Speaker, is it too late to ask for 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 a roll call will rise and be counted.

Mr. RUST: Mr. Speaker, may I ask a question of the Chair?

The SPEAKER: The gentleman may state his question.

Mr. RUST: Mr. Speaker, was the vote for indefinite postponement of that amendment?

The SPEAKER: The vote did prevail.

Mr. RUST: I withdraw my motion.

The SPEAKER: The gentleman withdraws his request.

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

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

The SPEAKER: The gentleman from Ellsworth, Mr. Anderson requests the yeas and nays. 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 will rise and be counted.

An insufficient number arose.

The SPEAKER: Not enough having expressed a desire for a roll call, a roll call is not ordered.

Are there any further amendments to be offered to item one on page four?

The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Am I in order now to make a motion to kill this bill? We don't need the building.

The SPEAKER: Would the gentleman restate his question.

Mr. SAHAGIAN: My motion is for indefinite postponement.

The SPEAKER: Of House Amendment "B" or the bill?

Mr. SAHAGIAN: The bill.

The SPEAKER: The gentleman from Belgrade, Mr. Sahagian, now moves indefinite postponement of Bill "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for the Fiscal Years Ending June 30, 1964 and June 30, 1965," House Paper 1109, Legislative Document 1591.

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

Mrs. SMITH: Mr. Speaker, Members of the House: I would hope certainly that you would not go along with any motion to indefinitely postpone the whole bill because certainly there are many things in it that you would regret, I am sure. And I also have an amendment that I would like to put on when the proper time comes.

The SPEAKER: A motion is in order for an amendment. Does the gentlewoman have an amendment?

Thereupon, Mrs. Smith of Falmouth offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1109, L. D. 1591, Bill, "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for the Fiscal Years Ending June 30, 1964 and June 30, 1965."

Amend said Bill by striking out all of the 2nd sentence of the first paragraph after the enacting clause which reads as follows:

'It is the intent of the Legislature that the items listed in Section A shall be reconsidered by the Governor and Council on recommendation of the various department heads and that the appropriation to each department or institution shall be used to meet the most urgent needs at that time.'

House Amendment "A" was adopted.

The SPEAKER: The pending question is the motion of the gentleman from Belgrade, Mr. Sahagian, to indefinitely postpone item one, Legislative Document 1591.

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

Mr. JALBERT: Mr. Speaker, and Members of the House: This is one package that the Appropriations Committee generally is somewhat proud of. I mean there was some definite, sound cutting in this program. Agreeing and concurring with the gentle lady from Falmouth, Mrs. Smith, that there are some things in this budget that we would regret — that there are many things in this budget that are by law. You will notice sprinkled all through the bill are measures calling for fire prevention and safety projects all the way through. The Committee called in, I had gone to see Joseph Flynn of the Fire Prevention Division of the Insurance Department to discuss with him this project which ran into some great sums of money at the beginning. Consequently, he was called in by the Committee on breaking down these projects where they would still retain the safety measures but would be cut down from say sprinkling down to fire protection down to the bellow arm system. I think he should be commended for the fine work that he did working with the committee on these various projects. Also looking down you will see where we are spending \$111,000 to complete a wom-

en's physical education building, a must. And all the way down through, we are participating in our share of the general fund share of the addition at the headquarters building and so on down the line. I think that — frankly I was hoping that some member would come up somewhere along the line and commend the committee for the work they did on this measure, because this is one area where we were generally in full accord. I hope the motion of the gentleman from Belgrade, Mr. Sahagian, will not prevail, and when the vote is taken, I ask for a division.

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

Mr. BRAGDON: Mr. Speaker, I am sure I hope that every member of the Legislature will read this bill before they vote to cut it out entirely. I think perhaps the gentleman from Lewiston, Mr. Jalbert, has explained it fully enough, but to me this is more or less the housekeeping and repair budget of the State of Maine. We have a great many buildings and the items mainly in that are repair items to keep these buildings looking decent just the same as we do our own buildings. Again, I think this is a thing that you should very, very carefully consider before you vote to cut it out of the budget.

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

Mr. ANDERSON: Mr. Speaker, may I have permission to clarify this situation?

The SPEAKER: The gentleman may proceed. The matter is before the House.

Mr. ANDERSON: Mr. Speaker, I think that the honorable gentleman, Mr. Sahagian, was confused I don't believe that he wanted to indefinitely postpone Amendment "B." I think he didn't want the building, and I still think he is a little bit confused. I'd like to hear from that gentleman.

The SPEAKER: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker, I will admit I am a little bit con-

fused on this here. I am against purchasing the bill. Now that's the only thing that I am against. I don't want to appropriate money to buy the building, but I am in favor of the rest of the bill that goes along with it, such as the armory and what have you. I will withdraw my motion.

The SPEAKER: The gentleman from Belgrade withdraws his motion of indefinite postponement. The Chair recognizes the gentleman from Dexter, Mr. Harrington.

Mr. HARRINGTON: Mr. Speaker, might I inquire through the Chair of this House Amendment "A" to House Paper 1109, filing 476, the last line says: "the appropriation to each department or institution shall be used to meet the most urgent needs at that time." Does that mean that this Section A like here it says the protective screens for the Bangor Armory, that that money could be used for the most urgent need at that time, be it for protective screens or not?

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

Mrs. SMITH: May I answer the gentleman's question? You will note that this amendment strikes out that section which gives them the privilege of using this money for other than what it was intended, and by striking out this clause, which we overlooked when we sent the bill out, which had the signature before this amendment was introduced of every member of the committee, prevents them from spending more for a building than the Legislature intended or changing this around. This column is struck out in this bill.

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

Mr. MACLEOD: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Lewiston, Mr. Jalbert, indicated that this was one bill that they had reported out of their committee that they were proud of, and it is most gratifying after all this time that they do have a document that they are proud of, and I think they have every reason to be proud of it. If you will

check this document with the original document, there is a substantial amount of money that has been saved here in this fire protection thing, which is only complying with the state law. It must be done. And through working with Mr. Flynn over in the Insurance Department, I know something about this; they have spent a lot of time and worked out a deal here whereby they could save substantial sums of money, and this is quite a different document than the original document, and I hope that it passes.

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

Mr. JALBERT: Mr. Speaker, I speak for the entire committee in saying to the gentleman from Brewer, Mr. MacLeod, thank you very much.

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

Mr. ANDERSON: Mr. Speaker and Members of the House: In view of the statement made by Mr. Sahagian of Belgrade, that he was confused, I think it would be the honorable thing to do to have another vote on Amendment "B" and I move reconsideration of the indefinite postponement of House Amendment "B."

The SPEAKER: The gentleman from Ellsworth, Mr. Anderson, moves the reconsideration of House Amendment "B" which was indefinitely postponed.

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

Mr. CHILDS: Mr. Speaker, through the Chair I would like to ask the gentleman from Ellsworth whether he voted on the prevailing side?

The SPEAKER: The Chair would use the rule of presumption, there being no record taken, the gentleman is in order.

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

Mr. WILLIAMS: Mr. Speaker, I rise for a point of information. I would like to inquire of somebody that knows about it, whether

this Internal Revenue Building contains a swimming pool or not?

The SPEAKER: Is the House ready for the question?

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

Mr. RUST: I request a division on the motion.

The SPEAKER: A division on the motion is requested on the reconsideration motion. All those in favor of reconsidering the indefinite postponement of House Amendment "B" will rise and remain standing in your places until the monitors have made and returned the count.

A division of the House was had.

Forty-four having voted in the affirmative and sixty-six having voted in the negative, the motion did not prevail.

The SPEAKER: The gentleman having withdrawn his motion to indefinitely postpone, are there any further amendments to be offered on Bill "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for the Fiscal Years Ending June 30, 1964 and June 30, 1965"?

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

The SPEAKER: The hour of 2:30 having arrived, on your supplemental calendar on the back you will find item 1, Bills in the Third Reading assigned for 2:30 p.m. today.

Passed to Be Engrossed

Bill "An Act Increasing the State Liquor Tax" (H. P. 825) (L. D. 1212)

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

Amended Bill

Bill "An Act to Authorize the Construction of Self-Liquidating Student Housing for the State Teachers Colleges and the Issuance of not Exceeding \$1,433,000 Bonds of the State of Maine for

the Financing Thereof" (S. P. 94) (L. D. 231)

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

The SPEAKER: Supplement number one assigned for 1:30 this afternoon, supplement of the calendar. The Chair lays before the House item 1:

Bill "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1964 and June 30, 1965" (S. P. 632) (L. D. 1595)

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

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

HOUSE AMENDMENT "A" to S. P. 632, L. D. 1595, Bill, "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1964 and June 30, 1965."

Amend said Bill in section 1 by striking out the lines:

"Personal Services (353) \$1,606,427 (353) \$1,653,037 All Other	
784,535	785,483

\$2,390,962	\$2,438,520
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Amount to \$2,390,962 for the fiscal year ending June 30, 1964 and \$2,438,520 for the fiscal year ending June 30, 1965," and inserting in place thereof the following lines:

"Personal Services (348) \$1,556,799 (348) \$1,602,477 All Other	
784,535	785,483
\$2,341,334	\$2,387,960

Amounting to \$2,341,334 for the fiscal year ending June 30, 1964 and \$2,387,960 for the fiscal year ending June 30, 1965.

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

Mrs. SMITH: Mr. Speaker, I will ask the gentleman to explain

what he has done if he will quickly to save time. I would like to comment on this, but I am not sure what it does.

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

Mr. MacLEOD: Mr. Speaker the Appropriations Committee allocated twenty-one extra employees to the State Liquor Commission for the next biennium. This was to provide employees for eight new stores which are to be opened in the next biennium, and the money for those positions. What this amendment does is to cut the personal services allocation by two percent, which is the same formula used in the Current Services Budget in that famous conference report that came in here. This two percent cut in personal services will not eliminate any employees but will be taken from the slush money that is available when an employee leaves and they don't find a replacement for three weeks or a month; that three weeks or four weeks salary is available, that has been provided for under the law. So the Liquor Commission will have this money available and this two percent can be found without eliminating any employees.

Then the rest of the amendment is five less employees than the twenty-one extra asked for and instead of a total of three hundred fifty-three employees statewide, the only reduction is five, to three forty-eight. I have discussed this amendment with Mr. Stover, the administrative head of the Liquor Commission. I can't say that he is completely happy; no department head would be by having his appropriation cut. But I can say in all honesty that he's not too distressed by it, and I am sure he will be able to live within it. Certainly if any of us who think of the number of stores in this state, all they have to do is to take one employee out of five of those stores, and this amendment will be accomplished. And I can assure those gentlemen who are looking for new stores to be opened up in their areas out of eight, that those

new stores will be opened and these new stores will be adequately staffed. The savings resulting from this amendment will be \$100,280, which I think we can really use in this state.

The SPEAKER: Is the House ready for the question? Is it now the pleasure of the House to adopt House Amendment "A"?

(Cries of "No")

The Chair will order a division. All those in favor of the adoption of House Amendment "A", will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred eleven having voted in the affirmative and seven having voted in the negative, House Amendment "A" was adopted in non-concurrence.

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

Mr. BROWN: Mr. Speaker and Members of the House: I would like to speak in regard to 1595. Apparently the State Liquor Commission is going to hire some extra help, although we did cut that down. It is my fervent hope that they do this immediately and open up some of the stores later at night during the summer.

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

The motion prevailed and the Bill was passed to be engrossed as amended by House Amendment "A" in non-concurrence and sent to the Senate.

The SPEAKER: The Chair lays before the House item two, 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, tabled on June 20, by Mr. Wellman of Bangor pending passage to be enacted.

On motion of Mr. Wellman of Bangor, retabled pending passage to be enacted and specially assigned for tomorrow.

The SPEAKER: The House will be at ease for five minutes only pending reports from the Senate as to whether we have any matters before us, or any business for this evening either.

(Recess)

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

Adjourned until nine-thirty o'clock tomorrow morning.