

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Special Session

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

1954

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Thursday, September 23, 1954

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

Prayer by the Rev. Mr. Arthur Christopher of Augusta.

The journal of yesterday was read and approved.

Paper from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that suitable index be prepared for the Legislative Record of this Special Session under the direction of the Secretary of the Senate and Clerk of the House. (S. P. 646)

Came from the Senate, read and passed.

In the House, read and passed in concurrence.

Orders

On motion of Mr. DeBeck of Holden, it was

ORDERED, that Mr. Jacobs of Auburn, and Mr. Walker of Calais, be excused from attending this special session because of out of State business.

On motion of Mr. DeBeck of Holden, it was

ORDERED, that Mr. Lovely of Westfield be excused for the remainder of this special session because of business.

On motion of Mr. DeBeck of Holden, it was

ORDERED, that Mr. Totman of Bangor be excused from attendance on Thursday and Friday of this week because of business.

On motion of Mr. Turner of Auburn, it was

ORDERED, that Mr. Buckley of Leeds be excused from attending this special session because of severe illness.

BE IT FURTHER ORDERED, that the Clerk of the House be directed to send flowers to Mr.

Buckley from the members of the House and express to him their hopes for a speedy recovery.

On motion of Mrs. Downing of North Kennebunkport, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

**Passed to Be Enacted
Emergency Measure**

An Act relating to Standard Time During the Month of October, 1954 (S. P. 632) (L. D. 1562)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 110 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Amending the Charter of the City of Brewer High School District (S. P. 634) (L. D. 1566)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 112 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Enabling County Commissioners of the County of Lincoln to Convey Real Estate (S. P. 638) (L. D. 1570)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 119 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act relating to Power of Androscoggin County to Borrow Money (S. P. 644)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 121 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Providing Emergency Relief to Municipalities from Hurricane Damage to Highways (H. P. 1309) (L. D. 1578)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 120 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Provide for Additional Educational Subsidy Funds for the December, 1954 Payment (H. P. 1310) (L. D. 1579)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 104 voted in favor of same and 11 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act relating to Sale of Revised Statutes and Session Laws (H. P. 1313) (L. D. 1582)

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

emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 116 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Amend the Town of Palmyra School District (H. P. 1320) (L. D. 1589)

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

Emergency Measure

An Act relating to Licenses for Spouses and Children of Members of the Armed Forces of the United States to Hunt or Fish (H. P. 1322) (L. D. 1573)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 116 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Amend the Charter of the Bangor Recreation Center (H. P. 1326) (L. D. 1575)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 118 voted in favor of same and none against, and accordingly the Bill was

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

**Finally Passed
Emergency Measure**

Resolve relating to Wages and Work - Week of State Employees (S. P. 624) (L. D. 1555)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 118 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve in favor of Maine Maritime Academy (S. P. 626) (L. D. 1557)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 101 voted in favor of same and 18 against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve Providing for Emergency Repairs and Construction at Pownal State School (S. P. 625) (L. D. 1556)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 120 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve Providing for the Shipping and Packaging of the Revised Statutes of 1954 (H. P. 1312) (L. D. 1581)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 116 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve Providing for Furnishing, Maintaining and Operating Weighing Stations at Kittery (H. P. 1318) (L. D. 1587)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 105 voted in favor of same and 11 against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The SPEAKER: At this time, the Chair declares the House at recess for a very few minutes until the Speaker has an opportunity to sign these bills.

Recess

After Recess, the House was called to order by the Speaker.

The SPEAKER: For the purposes of the record, the Chair is happy to note the presence of the gentleman from Biddeford, Mr. Ready, and without objection the Chair will request the Clerk to enter that gentleman's name in the journal for this Special Session. The Chair hears no objection and it is so ordered.

Passed to Be Enacted

An Act to Repeal the Acts Consolidated in the Revised Statutes of the Year One Thousand Nine Hundred and Fifty - four (S. P. 641) (L. D. 1564)

An Act relating to Elderly Teachers' Pensions (S. P. 629) (L. D. 1554)

An Act relating to the Fee for Stamping Beaver Skins (S. P. 630) (L. D. 1560)

An Act relating to the Adjutant General (S. P. 636) (L. D. 1568)

An Act Authorizing the Building of a Foot Bridge Across Tidelwaters in Gilpatrick's Cove in the Town of Mount Desert (S. P. 637) (L. D. 1569)

An Act relating to Distribution of Revised Statutes and Session Laws (S. P. 640) (L. D. 1563)

An Act to Revise and Consolidate the Public Laws of the State (S. P. 642)

An Act to Repeal the Tax on Cigars and Tobacco Products (H. P. 1311) (L. D. 1580)

An Act relating to Sale of 1954 Revised Statutes, Annotated, Outside of State (H. P. 1315) (L. D. 1584)

An Act relating to Aid to the Disabled (H. P. 1316) (L. D. 1585)

An Act to Incorporate the Bridgton Finance Company (H. P. 1323) (L. D. 1574)

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.

Temporarily Passed Over

Resolve Providing Additional Funds for the Maine State Office Building (S. P. 627) (L. D. 1558)

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

Temporarily passed over at the request of Mr. Fogg of Madison.

Finally Passed

Resolve relating to the Revision Committee (S. P. 628) (L. D. 1559)

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

Temporarily Passed Over

Resolve Providing for Additional Funds for the State Liquor Warehouse (S. P. 635) (L. D. 1567)

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

Temporarily passed over at the request of Mr. Osborne of Fairfield.

Finally Passed

Resolve Approving Draft and Arrangement of the State Constitution Made by the Chief Justice of the Supreme Judicial Court, and Providing for its Publication and Distribution (H. P. 1314) (L. D. 1583)

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

Temporarily Passed Over

Resolve Providing for the Replacements of State Police Vehicles (H. P. 1317) (L. D. 1586)

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

Temporarily passed over at the request of Mr. Fogg of Madison.

The SPEAKER: The Chair now lays before the House, Item 27, Resolve Providing Additional Funds for the Maine State Office Building, Senate Paper 627, Legislative Document 1558, which was temporarily passed over at the request of the gentleman from Madison, Mr. Fogg.

The Chair recognizes the gentleman from Madison, Mr. Fogg.

Mr. FOGG: Mr. Speaker and Members of the House: I am not going to try to stop these measures from going through because I realize that we just do not have the strings to do it. However, as the spokesman for the Democratic members of this Legislature, I feel that it is my duty to protest at this time the way in which this Special Session has been conducted. When we received the call

to appear here we were informed that it was for the purpose of making a routine acceptance of the Revision of Statutes, extend daylight saving time and to make provision for emergency aid to the cities and towns for hurricane damage to the roads. When we came here that was what we expected and that was all we had a right to expect and we could not very well expect anything more. Instead of that, we have been met with a flood of spending bills which have been dressed up as emergencies and pressured in a way that nothing has ever been pressured before. The result is that these bills have been conceived in haste. They have been drawn up in haste, presented in haste and we have been asked to consider them in haste. To me a legislature operating in this manner is operating at its very worst. The bills that we have processed have not been given the proper public hearing. We have not had the right to consider them the way they should have been considered and I do not think that we have any right to say that we have done a good job, and I believe that this session will always be looked upon in the light of shame. We Democrats are not obstructionists. We have recognized that there is merit in some of these bills and we have gone along with the ones which we felt have had merit even though the procedure and time we have felt have been wrong. There have been some other bills here which we have opposed because we have felt that they had absolutely no business being in this session and we have gone against those right down the line. As leader of the Democrats it has always been my intention to cooperate with the Republican leadership of this House when I have felt that they were doing something that was for the good of the State of Maine. On the other hand, it has always been my intention to oppose vigorously anything which I have felt has not been right and proper and to the interests of the people of the State

of Maine. I think that the record will bear that out. I am sure that if you will consider the record we can say that we have always acted in good faith with the Republican leadership, as long as I have been leader here anyway. We have expected the same from you. I believe that it is the intention of the rank and file of Republicans to respond in good faith. However, I feel that the Republican leadership has not acted in good faith in planning this session the way they have. I feel that they have broken faith with us and with the citizens of the State of Maine. On these two bills in particular, particularly the one on the State office building, I think it is a reflection on the intelligence of the whole Legislature the way this bill was drawn up and the way it was presented and the way it was handled from beginning to end. Somebody down along the line didn't think that we were very smart. I resent it and I believe the Republican membership of this House should resent it too. It is a reflection upon their intelligence as well as it is upon our own. For that reason, I want to register a protest against that State office bill in particular the way it was presented and handled and also the way this Special Session of the Legislature has been conducted after the call that was sent out. I want to register the protest for myself. I want to register it for the Democratic members of this Legislature. I want to register it for the Democrats of the State of Maine and I also want to register it for the free-thinking Republicans of the State of Maine who do not care for this kind of hasty government. I hope that I shall never have to witness again such a mismanaged and shameful session of a legislative body.

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

Mr. FULLER: Mr. Speaker and Members of the House: I do not have a prepared speech but I feel

that as the Republican floor leader I should answer my colleague, the good gentleman from Madison, Mr. Fogg. Notwithstanding his remarks, I am very proud of this Special Session of the Legislature. Nothing that we have done has been illegal. Everything that we have done is within our power to do and what we have done we like to feel has been deferred legislation. Most of the things that we have done and are going to do are things that we would have done at the regular session had we had funds to do them. True, as in any special session, we may have had to hurry a little from time to time but that is the way it always is. I think we all know where we are heading, I think we all know where we are going, meaning we, the Republicans, and I do not think that there is any doubt in anybody's mind but what what we have done we are doing with an open mind and with a clear brain and we are proud of it. We have gone this far with our program and let's carry it through and go home and face the public and know that we have got a clear conscience, that we have done something that the people wanted and that they are going to be proud that we have done. (Applause)

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

Mr. FITANIDES: Mr. Speaker and Members of the House: I have a clear conscience also and I move that Item 27, Legislative Document 1558, be indefinitely postponed and I ask for a roll call vote.

The SPEAKER: The gentleman from Saco, Mr. Fitanides, moves that Item 27, Resolve Providing Additional Funds for the Maine State Office Building, Senate Paper 627, Legislative Document 1558, be indefinitely postponed. The same gentleman has requested that when the vote is taken it be taken by the yeas and nays. In order for the vote to be taken by the yeas and nays it requires the

consent of one - fifth of the members present.

As many as are in favor of having the vote taken by the yeas and nays will kindly rise and remain standing until the monitors have made and returned the count.

Twenty - seven members arose.

The monitors then reported a total of one hundred and twenty-one members present.

The SPEAKER: One hundred and twenty - one members having been reported in their seats at the time of the vote, twenty - seven having voted for the roll call request, which is more than one-fifth of the members present, the yeas and nays are ordered.

The question before the House is on the motion of the gentleman from Saco, Mr. Fitanides, that Resolve Providing Additional Funds for the Maine State Office Building, Senate Paper 627, Legislative Document 1558, be indefinitely postponed. The Clerk will proceed with the calling of the roll. As many as are in favor of the motion of the gentleman from Saco, Mr. Fitanides, will say yes; those opposed will say no.

YEA—Baldic, Christie, Cormier, Cote, Couture, Cyr, Dennis, Dickey, Dorsey, Dostie, Dumais, Duquette, Edwards, Finemore, Fitanides, Fogg, Frechette, Gilman, Hanson, Jalbert, Jewett, Kelly, Lane, Latno, Letourneau, Madore, Martin, Eagle Lake, Nadeau, Ready, Rich, Senter, Brunswick; Stewart, Paris; Tondreau, Tuttle, Vaughan, Watson, Whitney.

NAY—Albee, Albert, Alden, Anderson, Bailey, Bearce, Berry, Bibber, Billings, Boston, Brockway, Brown, Bangor; Brown, Robbinston; Burgess, Butler, Call, Campbell, Carter, Caswell, Cates, Caverly, Chase, Childs, Clements, Cole, Crabtree, Curtis, DeBeck, Dicker, Dodge, Downing, Evans, Ferguson, Fickett, Fuller, Bangor; Fuller, South Portland; Gardner, Gates, Gosline, Gowell, Greenleaf, Harnden, Hilton, Hussey, Keay, Kimball, Larrabee, Lawry, Legard, Lord, Augusta; Lord, Portland; Low, Rockland; Low, South Portland; Ludwig, Macomber, McCluskey, McGlaudin, Morris, Moulton, O'Dell, Osborne, Peterson, Potter, Pullen, Riley, Roberts, Robinson, Rogerson, Roundy, Sanford, Scott, Alfred; Seaward, Stanley, Stanwood, Steeves, Stewart, Portland; Story, Trafton, Travis, Turner,

Wadleigh, West, Whiting, Willey, Williams, Winchenpaw, Woodcock.

ABSENT—Abbott, Beal, Buckley, Cianchette, Currier, Denbow, Emerson, Henry, Higgins, Jacobs, Lovely, Murray, Reynolds, Scott, Wales; Small, Smith, Tardif, Totman, Walker, Wylie.

Yea 37, Nay 87, Absent 20.

The **SPEAKER**: Thirty-seven having voted in the affirmative and eighty-seven having voted in the negative, twenty being absent, the motion for indefinite postponement does not prevail.

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

The **SPEAKER**: The Chair now lays before the House, Item 31, Resolve Providing for the Replacements of State Police Vehicles, House Paper 1317, Legislative Document 1586, which was temporarily passed over at the request of the gentleman from Madison, Mr. Fogg, and the Chair recognizes that gentleman.

Mr. **FOGG**: Mr. Speaker, as I said before, personally I was not going to make any effort to stop these any more because as the leader of the party I do not want to appear as an obstructionist, so I move that this resolve proceed on its course.

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

The **SPEAKER**: The Chair now lays before the House, Item 29, Resolve Providing for Additional Funds for the State Liquor Warehouse, Senate Paper 635, Legislative Document 1567, which was temporarily passed over at the request of the gentleman from Fairfield, Mr. Osborne, and the Chair recognizes that gentleman.

Mr. **OSBORNE**: Mr. Speaker and Members of the House: I trust that I will not seem unreasonably stubborn in again expressing my dissatisfaction with this resolve and the amendment thereto in spite of what transpired here yesterday. This resolve calls for the sum of \$90,000 for the completion of the Liquor Warehouse in Hallowell. I

did not know there was a liquor warehouse in Hallowell. If it called for completion of a liquor warehouse in Hallowell I would not have brought the point up. The amendment calls for an additional \$90,000. In a period of a few days apparently the amount has had to be doubled. The original bill asked for \$325,000 as approved in the last session of the Legislature. I am now told that this was a figure taken out of the air. I think it was taken out of the stratosphere. When it is necessary to increase now by fifty-five per cent, or a little over fifty-five per cent, the amount needed in order to construct this building, I sincerely believe that it reflects poor planning somewhere along the line and I wonder if it would not be well to give this a little more consideration. If I am in order I would move that Legislative Document 1567 be handed over to the next session of the Legislature prior to the writing of any contracts for their consideration. The fact that bids have been taken does not make it prerequisite that a contract be awarded. They have taken them once before and did not award them. There is nothing in there that says they have to award one at this time. The contractors certainly would be willing to bid later on on another project. In fact they might be more willing to bid if they knew what they were bidding on. I do not know that the next session of the Legislature would appreciate the coparcenary inheritance of this bill but at least I think it would get more considerate judgment.

The **SPEAKER**: The Chair will state at this time that it would seem nearly impossible and therefore the Chair will rule against the gentleman's motion that this engrossed resolve be referred to the next Legislature. The Chair will suggest that the gentleman might have in mind moving indefinite postponement. The Chair might suggest that possibly the gentleman might have in mind that this matter be reconsidered and passed back to the stage of its original form as a resolve for the purposes

of referring it to the next Legislature. The Chair believes that the gentleman understands that a resolve would be referred to the next Legislature rather than an engrossed resolve.

Mr. OSBORNE: Mr. Speaker, I so move you then.

The SPEAKER: The Chair understands that the gentleman from Fairfield, Mr. Osborne, moves that this resolve in its engrossed stage be reconsidered through its various stages until it becomes a resolve.

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

Mr. FULLER: Mr. Speaker, I hate to disagree with my friend and colleague, the gentleman from Fairfield, Mr. Osborne, but I guess that is what we are here for. I am from Cumberland County and naturally I would like to see the warehouse remain in Cumberland County but I took my licking, I hope, like a gentleman and we have gone this far, let's go all the way. This is the last one on our program and let's complete it and go home knowing that we have done a good job.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Tondreau.

Mr. TONDREAU: Mr. Speaker and Members of the House: It appears, as I understand it, that this extra appropriation, \$90,000, is for equipment in this new warehouse. Now I agree to a certain point with the gentleman from Fairfield, Mr. Osborne, that there has been some perhaps misplanning but apparently that has been corrected and it is now felt that this equipment will help to produce a \$52,000 saving per year in expenses, and therefore for that reason I think that any investment that can be amortized in less than ten years is a good investment. I would go along with the measure.

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

Mr. DICKEY: Mr. Speaker and Members of the House: I stand before you now the same as I have stood before two previous legislative sessions, trying to bring up any inequities and call the shots as I see them. I stood before you last night talking about the money for the state office building; you have passed that. I am sorry you had to make a party issue of it but at least those of us who wanted to bring before you the facts showed you that it was wrong in the approach. We even got to the point where we nearly had two tunnels. I do not know whether they intended it that way, to have one Democratic and one Republican tunnel going into the building. I hope you will not consider this as a party measure. I stood against it last night and I stand against it today. They are trying to force this. They tell me that they are very anxious to award this contract immediately and yet they cannot come to us with the facts. When it passed the last Legislature it was brought before us as a \$325,000 measure. We passed it. We now find that it is a \$505,000 measure. There may have been other considerations at the last session, I do not know. But I think that you should be considerate in your judgment in your voting today. You will remember that the issue was clouded on the State office building, they even appealed to you that you should talk about granite facing, a building to have dignity. I do not want to confuse one building with another but we might mention in passing that there is a building just across from here that does a very good business. It is a brick building. Of course this building, the office building, had to be granite faced because that money was all out-going. Yet this little building down here, a brick building, that is all in-coming and they do a very nice business. This liquor warehouse,—I have no axes

to grind,—I don't want to enter into whether it is in Portland or Hallowell; as I understand it they have purchased the grounds for \$17,000. It is the principle about it that bothers me. Now, they say they have to have \$505,000. If they can show me I will go along with it. They want to award this immediately. If the bidders had bid over the amount of \$325,000 it may be necessary, but is it not possible that the architects could revise that building so it would come within the \$325,000 and yet we would have a building adequate for our needs? I haven't been explained that and I don't think you members have had the fullest explanation. There was a hearing on it, to be sure, and the Liquor Control Committee in their considered judgment passed it. But there may have been other things that should have come up at that time. We are supposed to be a deliberate body, very deliberate in their judgment. I would question it. I would think the proper method would be to send it to the next Legislature, let it come up for a public hearing, air it completely. Let's not throw away \$180,000 of the State's money unless it is necessary. You haven't pointed out to me in any of your arguments that it is entirely necessary for us at this special session to put up \$180,000. Until you do I feel that I, as a Representative, should vote against it and I move the indefinite postponement of the bill as passed to be engrossed.

The SPEAKER: The Chair understands that the gentleman from Brooks, Mr. Dickey, moves that the resolve be indefinitely postponed.

The Chair recognizes the gentleman from North Whitefield, Mr. Chase.

Mr. CHASE: Mr. Speaker and Members of the House; I want to say that as a member of the Liquor Control Committee we considered this resolve well at

our committee hearing and I can see that it is just a piece of good business if we provide these funds. There is one thing that has not been mentioned in regard to this resolve. The money, if approved, will come rather than from the General Fund, it will come from the working fund of the commission. They have a three million dollar working fund there. The present commission through efficient administration has never used over two and one-half million for a working fund and they feel that if this resolve is passed that they can efficiently run the commission on the two and one-half million, that as a working fund. This is simply another project which was started by this Legislature at our previous session. It is similar to the State office building project wherein the rough estimate of cost provided for was not enough. We started this project, it is our obligation to finish it. I have all the confidence in the world in our Governor and Council. I certainly hope that this House will vote to finish the job that we started.

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

Mr. DICKEY: I appreciate the remarks of the gentleman from North Whitefield (Mr. Chase), but I do not want him to cloud the issue when he says that this money is taken out of some working fund. It is still coming out of the pockets of the people of the State of Maine and don't you forget it. And another thing he, the gentleman, did mention, that it had been before his committee, and they had considered it. We well can remember last evening when another committee said that they had, in their deliberate judgment, received all of the information and they had passed it out, a majority. And then they had to come before us and tell us that they were mistaken, that they were given the wrong dope. Now are we given the wrong dope today?

The SPEAKER: The question before the House is on the motion of the gentleman from Brooks, Mr. Dickey, that the resolve be indefinitely postponed.

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

Mr. OSBORNE: I would like to call your attention to the fact I think there was a predecessor motion.

The SPEAKER: The House may be at ease.

House at Ease

Called to order by the Speaker.

The SPEAKER: The Chair is incorrect. The Chair will now state that the question before the House is on the motion of the gentleman from Fairfield, Mr. Osborne, that the House reconsider its action of yesterday whereby it passed to be engrossed Resolve Providing for Additional Funds for the State Liquor Warehouse, Senate Paper 635, Legislative Document 1567.

As many as are in favor of the motion for reconsideration will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-one having voted in the affirmative and seventy-three having voted in the negative, the motion for reconsideration did not prevail.

The SPEAKER: The motion before the House at this time, therefore, is the motion of the gentleman from Brooks, Mr. Dickey, that the resolve be indefinitely postponed.

As many as are in favor of the motion for indefinite postponement will please say aye; those opposed, no.

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

Thirty-one having voted in the affirmative and seventy-five 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.

**Paper from the Senate
(Out of Order)**

The following paper from the Senate was received out of order and under suspension of the rules:

From the Senate: The following Communication:

**STATE OF MAINE
SENATE CHAMBER**

September 23, 1954

Hon. Harvey R. Pease, Clerk
The House of Representatives
96th Legislature

Sir:

The President of the Senate on September 22, 1954, acting under authority of Section 12, Chapter 14 of the Revised Statutes, appointed Senator Samuel W. Collins of Aroostook as a member of the Advisory Committee on Budget.

Respectfully,

(Signed) Chester T. Winslow

Secretary of the Senate

The communication was read and ordered placed on file.

The SPEAKER: At this time the Chair will declare a recess for approximately one hour.

Recess

After Recess, the House was called to order by the Speaker at 1:45 P. M., E. S. T.

The SPEAKER: At this time, the Chair is happy to note in the balcony of the Hall of the House the American Government Class from Farmington State Teachers College under the direction of Mr. Roberts and Miss Manter. On behalf of the House, the Chair extends you a cordial welcome and only wishes you could have gotten here a little earlier today or yesterday because we are just about to close. We are still happy to have you with us. (Applause)

Mr. Jalbert of Lewiston was granted unanimous consent to address the House.

Mr. JALBERT: Thank you very much, Mr. Speaker. At last we finally wind up getting something out of this shuffle. (Laughter) Mr. Speaker and Members of the House: I will very definitely, possibly to the pleasure of some, certainly to my personal sorrow, call this my swan song. I certainly do it without malice, because when I leave Seat 108 after having enjoyed it for ten years I certainly will feel very badly. I have deliberated over the remarks that I am going to read to you very carefully. I think I can honestly state that very rarely, if at any time, have I ever deliberately indulged in personalities in the years that I have been here. I am motivated in making my remarks with the thought in mind, and justifiably so, that I believe in the two-party system and I think that every one of us here will agree in so far as this session is concerned right down the line it has been based on partisan politics, as I do know that on many measures that have been before this "Lame Duck" special session, had more time been exercised to deliberate, had we been here longer, it is very possible that some of you who voted for certain measures might have voted against them and some of us who voted for certain measures might have voted against them. I have had computed and checked with the Finance Officer's Department just exactly where we are financially and where the next session of the Legislature will be. You will note where it states General Fund Surplus, however, of 6-30-54 that they have one more year to operate, and certainly based on the fact that oftentimes departments who spend over-estimate what they will spend and departments who gain underestimate what they will receive for revenue, that figure will step itself up. These are the figures as they stand now.

Now, Mr. Speaker and Members of the House, we are about to close what may be called the "hasty pudding" special session of our Legislature. Before we leave, I would like to remind you of some of the things that we have done to the people of Maine. We have dipped into the General Fund "pork barrel" to the tune of almost three and one-half million dollars by spending \$2,882,000, in cutting revenue by \$467,000. Some of these measures for which these moneys will be spent are worthy, some of them are dubious, but almost all of them should have been taken up at a regular session when properly advertised hearings, proper debate and proper votes could have been taken. In steamrolling these measures through this "Lame Duck" session, the Republican leadership of this Special Session has compiled a none too envious record, which shows that they have learned nothing from the recent election. When the people of the State of Maine elected the Honorable Edmund S. Muskie, Governor, they voted for a Governor who will consider their desires, not the desires of the inner circle of Republican Party wheels.

We as Democrats have gone along, reluctantly, on most of the votes. We have avoided being obstructionists. We have remained true to our principles. We have remembered our responsibility to the people even though many of us will be through at the close of this session. We know that in spending almost one-third of the General Fund Surplus, we have not only authorized the spending of money in hand but we have also committed the next legislature and the next administration to increased expenditures with reduced revenues.

The educational subsidy passed by this session will add an estimated annual cost of \$370,000 to our educational appropriations. This does not include the usual

increases which may be expected. The increased wages for State employees will up our wage appropriations by over \$700,000 a year. We will give the Maine Maritime Academy an annual gift of \$18,000 a year.

The SPEAKER: The Chair will request the gentleman to please defer.

At this point, a message came from the Senate borne by Senator Wight of that body, informing the House that the Senate had transacted all business before it and was ready to adjourn without day.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, may continue.

Mr. JALBERT: The elderly teachers will receive \$77,000 per year more. The disabled will receive \$300,000 a year. This means that the Special Session has literally voted one million and almost five hundred thousand dollars in recurring expenditures while cutting nearly \$600,000 from the annual estimated revenue. These figures do not include the \$500,000 earmarked for expenditures on the new State office building. They do not include the \$180,000 appropriated for additional cost at the new Liquor Warehouse. I can stomach the haste and pushing through legislation aimed at helping our people who were hit by the recent hurricanes but I cannot stomach this last-minute appeal by those who maybe did not plan too efficiently. When the Legislature meets in January next they will be faced with increased expenditures voted by this session, reduced revenues voted by this session and a reduced fund for capital expenditures cut by this session. When the new Legislature faces the problem of either paring expenditures or increasing revenue the blame will not be on it; the blame will rest squarely on the "hasty pudding" special session. And remember

this, you Legislators and Maine taxpayers, this generosity comes in the face of declining revenues in a number of categories such as the sales, liquor and cigarette taxes as is proven by the recently published financial statement for the fiscal year 1954.

I want to thank you, Mr. Speaker, for allowing me the privilege of entering these remarks into the record. I guess I am all through talking whether as a Democrat or as an individual. I just spoke as a Democrat. I want to thank you for having tolerated me for ten years and I assure you that I will miss you. Thank you very much. (Applause)

The SPEAKER: Not only during the regular session but also during the special session, the Chair has attempted to help keep the record clear and the Chair believes that the gentleman made a misstatement when he said: "What we have done to the people." The Chair imagines what the gentleman meant was: "What we have gone for the people." (Applause)

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

Mr. ALBERT: Mr. Speaker, I move that a message be sent to the Senate informing that body that the House has acted upon all matters before it and is ready to adjourn without day.

The SPEAKER: The gentleman from Augusta, Mr. Albert, moves that the House convey a message to the Senate that the House has acted on all matters before it and is ready to adjourn without day. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair requests the Sergeant-at-Arms to escort the gentleman from Augusta, Mr. Albert, to the Senate with that message.

Subsequently Mr. Albert reported that he had conveyed the message with which he was charged.

Mr. Burgess of Limestone was granted unanimous consent to address the House.

Mr. BURGESS: Mr. Speaker and Members of the House: I do not rise to attempt to make a political speech but rather to express what I consider to be some definite views of my own and other well-informed people with respect to the statement which my good friend, the gentleman from Lewiston, Mr. Jalbert, has had reproduced and placed upon our desks. I do not see the picture as bad as he has stated it.

I will go down through a few of the items and pick out first the one on the Maritime Academy, \$18,000 as a recurring expenditure. That, as you will remember, was created by reconditioning a ship somewhere. It is deficit spending on the part of the Academy. It should not have occurred and there is no reason to believe that it will be recurring because the ship, as I understand it, is now put in shape. I do not consider that item as a recurring item.

Educational subsidy, the figure, \$370,170, I assume is 105 per cent. Now, as I see the picture, there is no reason to think that we have considered 105 per cent for all time to come. The Educational Department informs me that that will not reflect itself in that manner due to constant changes in valuation and changes in the classification of various towns.

The item of Aid to Disabled of \$300,000, I would like to explain in this manner. The Health & Welfare Department due to a number of things which you are well informed about, is carrying forward a million dollars annually from which the \$300,000 can be paid and you can reduce their appropriation by the other \$700,000 because their expenses, I believe, are constantly declining.

Another remark with respect to school subsidies: I have been very happy to join you in passing back to the towns these addi-

tional funds, believing that the amount we appropriated for the hurricane relief will not cover the bill. Whatever we put back through educational channels relieves the towns from appropriating that much money and it can be appropriated for other purposes and they will surely need it. It is a form of relief at this time which can be reflected in many ways.

Now, I have been told by authority that our revenues are consistently on the increase and are bringing into the State approximately two million dollars over estimation so that I do not see the picture black at all. It is my opinion that when you have perhaps revised your school subsidy formula because of the revaluation of the State and when you consider your revenues that you will be in the black and be in the black amply and I do not go home with any feeling that we have made any mistakes with respect to placing the State where it will have to operate on deficit financing. Thank you.

Paper from the Senate (Out of Order)

The following paper from the Senate was taken up out of order and under suspension of the rules.

From the Senate: The following Order:

ORDERED, the House concurring, that a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon His Excellency, the Governor, and inform him that both branches of the Legislature have acted on all matters before them, and are ready to receive any further communications he may be pleased to make. (S. P. 647)

Came from the Senate read and passed, with the following members appointed on its part: Mr. Broggi of York, Mrs. Kavanaugh of Androscoggin, Mr. Squire of Kennebec.

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

Thereupon, the Chair appointed as members of the committee on the part of the House: Mr. Fickett of Naples, Mr. Rogerson of Houlton, Mr. Roberts of Dexter, Mr. Winchenpaw of Friendship, Mr. Dorsey of Fort Fairfield, Miss Steeves of Lincoln, Miss Cormier of Rumford.

Subsequently, Mr. Fickett for the Committee reported that the Committee had delivered the message with which it was charged and begged leave to report that the Governor was pleased to say that he would transmit a message to the House forthwith.

Mr. McCluskey of Warren was granted unanimous consent to address the House.

Mr. McCLUSKEY: I would like to make my remarks brief and to the point. As a member of the majority party I am very happy to observe that at the Special Session of the Legislature the minority members have seen fit to go along with most of the necessary measures coming before it. This indicates to me and I believe it does to all of us that at the next regular session of the Legislature we will all work together in further advancing the over-all welfare of the citizens of this great State and it is my sincere hope that we will again establish a legislative record that we will be proud of. (Applause)

The following Communication was taken up out of order and under suspension of the rules:

STATE OF MAINE
Office of the Governor
Augusta

September 23, 1954

To the Honorable Senate and House of Representatives
96th Legislature:

In these closing hours of the 96th Legislature, may I herewith submit a tabulation of the results of your deliberations:

Acts Approved	21
Resolves Approved	10
Vetoed Presented	None

This Special Session has posed problems of an emergency nature, critical to the welfare of the people of Maine. I believe that you have solved them in a forthright manner, and I commend you for your courage and determination.

It is my belief that this 96th Legislature has been the most constructive of any Legislature with which I have had the pleasure of being associated. You have worked honestly and conscientiously for the interest of all the people of our State. May I, as your Governor, officially thank you in behalf of the people of Maine for work well done.

Mrs. Cross and the girls join me in thanking you for the many courtesies extended to us and for the gracious associations and lasting friendships that we have had throughout the past twelve years. We shall miss all of you, and hope we will see you often in the years to come. We wish for you all continued success, health and happiness in the future.

Respectfully submitted

(Signed) BURTON M. CROSS

Governor of Maine

(Applause)

The communication was read and placed on file.

Mr. Fuller of South Portland was granted unanimous consent to address the House.

Mr. FULLER: Mr. Speaker and Members of the House: As we have been going up and down the halls during this special session, we have seen many so-called "Lame Ducks". Some had lame wings, some had lame legs, and some of them were so badly off that they even let a member of the minority party take over for them and I just wanted to say that I hope within the next two years their legs and wings may become healed so that in two years from now they can bounce back and become as good as ever members of this august body.

I also want to say that I have enjoyed serving you as your majority floor leader and I want to pay tribute to my assistant floor leader, the gentleman from Augusta, Mr. Albert, and all of you who have helped, I believe, make this 96th Legislature a successful one. Thank you very much. (Applause)

At the request of the Chair, Mr. McGlauflin of Portland was conducted to the Chaplain's rostrum by the Sergeant-at-Arms.

Mr. McGLAUFLIN: Our Father who art in Heaven, Creator of the Universe, thou who dost control the winds and the sea, we are very dependent upon thee. We cannot ignore thee for thou art everywhere. Therefore, we humbly bow before thee and ask thy blessing upon the work of this Legislature and that you further extend your blessing upon the members of this body who are about to return to their general walks in life. Amen.

The SPEAKER: The Chair at this time thanks each and every one of the members for their patience, their understanding and their cooperation and wishes each and every one a safe journey home and the deserved happiness in the years to come that should be theirs.

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

Mr. HANSON: Mr. Speaker and Members of the House: I now move that this House adjourn without day.

The SPEAKER: The gentleman from Machiasport, Mr. Hanson, moves that the House adjourn without day at 2:28 P.M. Eastern Standard Time on September 23, 1954. Is this the pleasure of the House?

The motion prevailed and the House so adjourned.