

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Eighth Legislature*

OF THE

STATE OF MAINE

VOLUME I

1957

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Tuesday, April 30, 1957

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

Prayer by the Rev. Alice T. Hart of Hallowell.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

**Papers from the Senate**  
**Senate Reports of Committees**  
**Leave To Withdraw**

Report of the Committee on Judiciary on Bill "An Act Authorizing Pilots of Aircraft to Restrain Certain Persons" (S. P. 199) (L. D. 544) reporting Leave to Withdraw.

Report of same Committee reporting "Ought not to pass" on Bill "An Act relating to Persons Subject to Imprisonment for Life" (S. P. 103) (L. D. 233), as it is covered by other legislation.

Report of same Committee reporting same on Bill "An Act relating to Transfers to the State Prison" (S. P. 202) (L. D. 547)

Came from the Senate read and accepted.

In the House, the Reports were read and accepted in concurrence.

**Ought to Pass**

Report of the Committee on Education reporting "Ought to pass" on Bill "An Act relating to Membership in Maine School Building Authority" (S. P. 384) (L. D. 1080)

Report of the Committee on Veterans and Military Affairs reporting same on Bill "An Act Prohibiting the Pauperizing of Families of Veterans" (S. P. 494) (L. D. 1388)

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed.

In the House, the Reports were read and accepted in concurrence, the Bills read twice and tomorrow assigned.

**Divided Report**

Majority Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Resolve Opening Certain Brooks and Tribu-

taries in Somerset County to Fishing (S. P. 386) (L. D. 1082)

Report was signed by the following members:

Messrs. CARPENTER of Somerset  
 HALL of York  
 BRIGGS of Arrostook  
 — of the Senate.

Mrs. HARRIMAN of Lovell  
 Messrs. BARTLETT of Belgrade  
 WHEATON of Princeton  
 — of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Resolve.

Report was signed by the following members:

Messrs. HARRIS of Greenville  
 ROSS of Brownville  
 CARVILLE of Eustis  
 DUDLEY of Enfield  
 — of the House.

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

In the House, the Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Eustis, Mr. Carville.

Mr. CARVILLE: Mr. Speaker, I move we accept the Minority Report "Ought not to pass" in non-concurrence.

The SPEAKER: The Chair recognizes the gentleman from Greenville, Mr. Harris.

Mr. HARRIS: Mr. Speaker, I might explain my reason for signing the Minority Report. As I understand it on these brooks, two years ago this legislature opened these brooks the same as this bill calls for. Then a public hearing was petitioned for by the residents around Jackman in the area where these brooks are. There were so many appeared at that public hearing against opening these brooks that the Commissioner ordered them closed. Now, this year, the same bill is back in again to open the same streams going right against the wishes of the people in that area, so I second the motion of the gentleman from Eustis, Mr. Carville, that the Minority Report be accepted.

The SPEAKER: The motion before the House is the motion of the gentleman from Eustis, Mr. Car-

ville, that the House accept the Minority "Ought not to pass" Report in non-concurrence. Is this the pleasure of the House?.

The motion prevailed.

### Divided Report

Majority Report of the Committee on Transportation on Bill "An Act relating to Weight Tolerances for Motor Vehicles Carrying Firewood, Pulpwood, Logs or Bolts" (S. P. 290) (L. D. 200) which was recommended, reporting same in a New Draft (S. P. 529) (L. D. 1496) under same title and that it "Ought to pass".

Report was signed by the following members:

Messrs. HALL of York  
ROGERSON of Aroostook  
— of the Senate.

Messrs. ALLEN of Chelsea  
STILPHEN of Rockland  
KELLY of Rumford  
JACQUES of Lewiston  
— of the House.

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

Report was signed by the following members:

Mr. COLE of Waldo  
— of the Senate.

Messrs. TOTMAN of Bangor  
BEYER of Cape Elizabeth  
HERSEY of Fort Fairfield  
— of the House.

Came from the Senate with the Majority Report accepted and the Bill passed to be engrossed.

In the House, the Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Allen.

Mr. ALLEN: Mr. Speaker, I would like to have this bill given its first two readings today, then I would move to table it until May 7, Tuesday, May 7 if it could have its first readings today.

The SPEAKER: The motion before the House is with regard to the Report. Is it the pleasure of the House to accept the Majority "Ought to pass" Report?

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

Mr. TOTMAN: Mr. Speaker and Members of the House: As you will notice, my name is one of those attached to the Minority "Ought not to pass" Report. I think that probably the majority of the Members of the House are naturally inclined to presume that a majority report reflects the fact that a bill at least has a reasonable amount of merit. With some apologies to a gentleman who is not in the House at the time who was here last session, I would like to call upon a phrase that he used to use once in a great while when he stood up, and he would always start in by saying: "This is a bad bill".

I would like to tell you very briefly why, as a Member of the Transportation Committee, I sincerely believe this is not only a bad bill, but this is purely and clearly class legislation. This bill has a little history. It goes back to 1951 the 95th session when a very persuasive and popular member of this House was able to convince the legislature that there was some justification in allowing those who are mainly in the pulpwood business to have a special tolerance over and above all normal restrictions, because of the fact that pulpwood and forest products because of moisture or ice or the greenness of the wood it is difficult to estimate the weight, and at that time back in the 95th session the wood industry was given a special exemption. As was predicted, the next session the construction—road construction industry came in and on the basis that there had been given an exemption for one industry, they wanted an exemption and they were given an exemption. Now as you probably realize, we have a very important bill in this legislature this session to increase the total weight of trucks that are allowed to operate in this State from fifty to sixty thousand pounds, maximum. That will put Maine in line weight-wise with the rest of New England and a substantial portion of states in the United States. Despite that increase, this special exemption is still higher three years old than this new bill of sixty thousand pounds, if it goes through.

Now we in the Committee felt that if a certain industry had a

special tolerance, a special privilege higher than the maximum known or contemplated weight, that was certainly sufficient, this legislature was certainly fair. But instead of being satisfied with that higher than anyone's else tolerance, this group of people have come back and again are asking us to give privilege on privilege. And my sole reason for my standing up here and taking the very unpleasant and unpopular position of opposing those in the pulpwood business and opposing the large paper mills in the State of Maine, because quite frankly this means a great deal to them, is that if your State Highway Commission, your State Highway Department, came before the Transportation Committee and showed that if this bill went through, the present trusses on our small rural bridges, which is already higher than any other truck, would be even higher under this bill. That is statistical fact, that is not conjecture. It was shown by statistical graph weights.

I simply say I think it is a very poor time for this legislature to add privilege to already existing privilege. I repeat, this is a bad bill, and I certainly hope it will not receive passage.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Allen.

Mr. ALLEN: Mr. Speaker, where there is apparent debate on this bill this morning and there are a lot of things to be brought to light, I would like to now move that this be tabled pending acceptance of the Committee Report until Tuesday next.

The SPEAKER: The motion before the House is the motion of the gentleman from Chelsea, Mr. Allen, that Bill "An Act relating to Weight Tolerances for Motor Vehicles Carrying Firewood, Pulpwood, Logs or Bolts" be tabled and specially assigned for Tuesday next. Will those who favor the motion to table please say aye; those opposed, no.

A viva voce vote being taken the motion to table did not prevail.

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

Mr. TOTMAN: Mr. Speaker, I feel that this bill is so bad that it

should be indefinitely postponed, and I so move.

The SPEAKER: The motion now before the House is the motion of the gentleman from Bangor, Mr. Totman, that the Bill and Reports be indefinitely postponed in non-concurrence.

The Chair recognizes the gentleman from Chelsea, Mr. Allen.

Mr. ALLEN: Mr. Speaker, I must differ with the gentleman from Bangor, Mr. Totman, when he says this is a bad bill. I say it is not a bad bill, it is a good bill, and the majority of the Committee have reported it as a good bill. This is a bill that passed this session—last session of the legislature and was recalled from the Governor's desk in the last hours because of pending legislation in Congress known as the Gore Bill. True the Highway Commission did have representatives come before the Transportation Committee with a chart which showed merely that this bill would allow ten per cent extra. That on the face of the bill is self-explanatory. I don't think we need engineers to come and show us that this bill would allow ten per cent tolerance in certain cases.

Now you heard it argued that this is very bad for our bridges. Now just a word on the bridges. The bridges of the State of Maine are designed so that the same gentleman that came before us said, with about twenty-seven thousand pounds tensile strength design in the steel, whereas the steel in the bridges does have a tensile strength of seventy-two thousand pounds. Now there is plenty of margin of safety, and there is no immediate danger of damage to the bridges by allowing this tolerance.

Now you all know that the pulpwood and logging industry is the major industry here in the State of Maine today. We are facing a time when we are losing industry. The textiles are moving out, and I am just sorry that we can't raise cotton in this State, because if we could, I would certainly be in favor of putting a tolerance on hauling cotton to the mills.

When you say this is class legislation, what kind of class of people are you getting into when you pass

a bill such as this? Is the farmer that hauls his wood to the mill one class? Is the major industries that haul pulpwood another class? Are the large companies that haul their logs and that type of material another class? It is a pretty broad class and it covers pretty much the State of Maine. Now here is a bill designed to help the little fellow, the farmer who might be hauling pulpwood to the mills, and I understand that a great percentage of the wood used by our paper industry today is purchased wood from this very farmer that I mention. Most products that are transported in the State can be weighed or can be guessed very closely as to the weight that you have on, but the weight of wood varies immensely even wood cut on the same lot and at the same time, it might be cut on the high ground or the low ground, and the percentage of moisture varies in it, and with a variation of twenty-five per cent in the weight of wood, it is pretty hard for these fellows to tell exactly what they have on. Therefore, I don't think that we should penalize any industry or penalize any individuals by holding them to that firm weight. If we are going to go forward in this State, it seems to me that we must stop looking backwards.

Now the first roads in the State of Maine were probably blazed by this industry, this type of individual, who went ahead and built his roads into the woods, and later they were used by other people passing through, and later than that the general public started to use them and then public roads were built over these. And the farmer or the woodsmen had no quarrel with that, he was glad to see progress, but now when they come and tell him that the very road that he probably pioneered that he has got to have certain limits on, it is certainly not going to set too well with him.

More about tolerance and weight on axle loads. It has been pointed out that this is going to do an awful lot of damage to our highways. Coming to a bearing ratio, particularly a California bearing ratio which figures out the specific weight bearing of certain soils, you will find out that there is more dif-

ference than ten per cent, there is probably greater than fifty per cent difference in the weight bearing of certain soils. Now that has a big difference as to whether that soil is saturated with water or is dry. Already in certain seasons of the year the Highway Commission has the power and the authority to post roads when it is apparent that they are being hurt by trucks, that is, they are posted as to the weight limit that is allowed on them. In the spring of the year all of these roads that these truckers use are posted and they are put off of the road. They are out of business for awhile. In the winter when the roads are frozen, I think they should be allowed to allow this tolerance and in the summer when the ground is firm and dry and no damage would be done to it anyway regardless of what you put on it, that they should be allowed this tolerance. Still, even with this tolerance, the Highway Commission or the local authorities have jurisdiction over that particular piece of road and has the authority to post it to weight limits. I sincerely hope the motion of the gentleman from Bangor, Mr. Totman, does not prevail, and that you will go along and pass this bill to help our farmers and our major industry in the State of Maine.

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

Mr. BEYER: Mr. Speaker, I don't want to be repetitious, but in supporting the motion of the gentleman from Bangor, Mr. Totman, I would like to point out just one further thing, and that is that the previous legislature amended the truck weight fine law so that there is in effect a four per cent tolerance now. In other words, on the first thousand pounds of overweight there is no fine provided or penalty provided. And the next one thousand pounds you have to prove intent to overload. Now that is just for the purpose of these people who do have difficulty in weighing their loads, and there is no criticism admitted or intended to reflect on the paper industry or the farmers. But there is existing now a four per cent tolerance on the fifty thousand pound weight, and as you get lower on the limit of course it gets up to six

per cent. So I submit with the present law in effect there is some tolerance and they now want merely a little bit more, and I hope the motion of the gentleman from Bangor, Mr. Totman, prevails.

The SPEAKER: The Chair recognizes the gentlewoman from Lovell, Mrs. Harriman.

Mrs. HARRIMAN: Mr. Speaker, up in our country we have two industries, one of them is saw mills and the other is lumbering. Now as the gentleman from Bangor, Mr. Totman, has said, that this was a preference bill for the benefit of the paper industries. I tell you that this is a bill which will aid the small lumbermen. The roads in our country are so bad that a person wants to go over them just once and haul what they can, they don't want to have to make the second trip if possible. I certainly hope that the motion of the gentleman from Bangor, Mr. Totman, does not prevail.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, I always thought this before and I can see a great deal of need, it is simply to have a guy out that is hauling pulp and he doesn't know exactly what it is going to weigh. Now there is a great difference. I ship many carloads of pulp and you never can tell exactly what it is going to weigh, it depends on various cuts. Now pine will weigh anywhere from twenty-four hundred and fifty pounds to twenty-eight hundred, depending a great deal on the land it is grown on. Now if it is grown in swampy places it will weigh heavier, if it is grown on ridges why it will be lighter. I felt that the purpose of this bill was just simply to take care of a fellow who happened to have figured that perhaps his pine weighed twenty-five hundred and it did weigh twenty-eight hundred. I don't think that anybody would abuse it, it is just simply saying if there is an overweight to this extent why you wouldn't be hung up beside the road and have to unload it and be fined for overloading.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, it is due time that we gave the farmer some consideration. He is hauling out his pulpwood when it is frozen and you and I know it weighs a whole lot more when it is frozen and wet than it is when it is dry. Therefore, I hope that you will consider the farmer and give him a break. He gets his wood out in the cold weather when everything is frozen over. Naturally your pulpwood is frozen. Therefore, I hope the motion of the gentleman from Bangor, Mr. Totman, does not prevail.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I would like to repeat one remark I made earlier. It is certainly not a very pleasant task for me to stand up here and appear on the surface as some of the other speakers have said to be opposing our State's largest industry and farmers who certainly are very close to my own interest. The only excuse that I have for standing firm on my convictions is that quite truthfully they have already been given one extra privilege back in the 95th session, they are already allowed special tolerance. As the gentleman from Cape Elizabeth, Mr. Beyer, said, in addition, all truckers have been allowed one ton extra tolerance. I would like to read to you in closing my remarks, just one sentence out of the new draft of this bill which was inserted because in my very personal estimation it proved to me that the sponsors of the bill knew that the Federal government wouldn't stand for one second for having this privilege upon privilege inflicted on federal highways with federal monies involved. I will read this one sentence: "Nothing contained in the first sentence of this section shall permit, validate or in any way apply to the use of the Interstate System as defined in the Federal-Aid Highway Act of 1956 by vehicles with weights carried on any one axle, tandem-axle weights or overall gross weights or with widths in excess of the applicable maximum weights or maximum widths permitted by the provisions of section 108 (j) of the Federal-Aid Highway Act of 1956." In other

words, Ladies and Gentlemen, we don't care what you do to your state roads if you want to tear them to pieces, and your bridges, you go ahead, but don't you dare to put these trucks on these Federal roads if we are going to help pay for them. I don't think it could be said any more clearly. That amendment, incidentally was added by the proponents, the lobbyists for this weight tolerance knowing full well that this special privilege on privilege would not be tolerated by the Federal government. I think the case speaks for itself and I request a division.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Chelsea, Mr. Allen.

Mr. ALLEN: Mr. Speaker and Members of the House: This sentence just read was put in there to remove any objection—to remove some of the objections to the bill. Now most of these trucks wouldn't be used in the interstate system anyway, and that is perfectly alright, but the Federal government does not have jurisdiction over our town ways and most of the roads that the pulpwood industry would be using. Therefore, I don't think that the Federal government should be dictating as to what this legislature should be doing. This just eliminates any objection where federal funds are involved in the interstate system. As to what has already been done for the farmer and the pulpwood industry, I will grant there has been legislation to help them out, but I still do not think it is enough and we need this bill to help boost this industry in the State of Maine. I certainly hope the motion does not prevail.

The SPEAKER: The question before the House is the motion of the gentleman from Bangor, Mr. Totman, that with regard to Bill "An Act relating to Weight Tolerances for Motor Vehicles Carrying Firewood, Pulpwood, Logs or Bolts", Senate Paper 529, Legislative Document 1496, the Bill and Both Reports be indefinitely postponed. The gentleman from Bangor, Mr. Totman, has requested a division. Will all those who favor the motion to indefinitely postpone the Bill and both Reports please rise and remain standing un-

til the monitors have made and returned the count.

A division of the House was had. Thirty-eight having voted in the affirmative and eighty-two having voted in the negative, the motion to indefinitely postpone did not prevail.

The SPEAKER: The motion now before the House is the motion of the gentleman from Chelsea, Mr. Allen, that the House accept the Majority "Ought to pass" Report. Is this the pleasure of the House?

The motion prevailed and the Majority "Ought to pass" Report was accepted in concurrence, the New Draft read twice and tomorrow assigned.

#### Non-Concurrent Matter

Bill "An Act relating to Election of Council Members of City of Portland" (H. P. 10) (L. D. 9) on which the House accepted the Majority Report of the Committee on Legal Affairs and passed the Bill to be engrossed as amended by Committee Amendment "A" on April 25.

Came from the Senate with the Minority "Ought not to pass" Report accepted in non-concurrence.

In the House:

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

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

The SPEAKER: The motion before the House is the motion of the gentleman from Portland, Mr. Childs, that the House adhere. The Chair recognizes the gentleman from Portland, Mr. Miller.

Mr. MILLER: Mr. Speaker, I request unanimous consent to talk briefly on this bill.

The SPEAKER: The gentleman does not need unanimous consent. He may proceed.

Mr. MILLER: Mr. Speaker and Fellow Members of the House: On April 25 the House saw fit to approve the Majority "Ought to pass" Report on a bill sponsored by myself at the request of a great many of our constituents from Portland. This Bill was endorsed by the seven representatives from Portland. We are the duly elected representatives from this City and know that a great many of the citizens in our great



city have continuously demanded a chance to vote again on the change in the charter of the City of Portland with regard to electing City Councilors from the districts.

When this charter change was made some years ago our local citizens were misled as usual by the distorted and misleading statements of the editorial writers representing the Gannett Publishing Company.

Once again the citizens of Portland have been denied a chance to vote on a change in our City charter. The four Senators from Cumberland County have denied the citizens of Portland their constitutional rights by blocking the passage of this Bill in the Senate after having unanimous consent of the House.

On the editorial page of the Press Herald Friday, April 26, 1957 the heading of an editorial with regard to this Bill appeared as such: "Portland not interested in passage of Miller Bill". It should have read "Portland Press Herald or Gannett Publishing Company not interested in the rights of the citizens of Portland."

In the Evening Express appeared another editorial which stated: "Ought not to pass".

The editors of the Gannett Publishing Company claim that my bill will be the accepting of log rolling, mutual back scratching, deals and bloc tactics that are summed up in the phrase "Ward politics".

I say to this that the policy of this newspaper is not one that should be printed in bold type for the citizens to read, as they have certainly done plenty of log rolling for the present minority form of government. As to "Ward politics" I would certainly rather represent the people of my wards and my city than the interests of the Gannett Publishing Company.

They state that they believe the referendum was used as a gimmick in the absence of solid evidence to the contrary.

My fellow representatives, let me tell you that there was much evidence to warrant the passage of this Bill, but the person who wrote this editorial is not in touch with the people of Portland. As a matter of fact,

I do not believe he is a citizen of Portland.

Time does not allow the representatives, duly elected by the citizens of Portland, to offset the ugly propaganda printed by the paper, but the time will come when somewhere along the line the citizens of Portland will be heard.

The Paper has influenced the Senators from Cumberland, but they will not influence the voters in the next election. "Thank heavens" we do not have controlled television and radio.

In conclusion I want to thank you, Mr. Speaker and Members of the House, for bearing with me so that I could make this a matter of record. I feel certain that it will not be printed by the Gannett Publishing Company, as it is contrary to their best interest.

The reason I am reading this speech is so that I will not be misquoted in the event that they do see fit to publish same. Thank you.

The SPEAKER: The motion before the House is the motion of the gentleman from Portland, Mr. Childs, that with respect to Bill "An Act relating to Election of Council Members of City of Portland", the House adhere. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of the House of a group of students of the Junior Class of Farmington High School accompanied by Mr. Greenleaf, and a group of the Junior Class of the Farmington State Teachers College accompanied by their instructor, Agnes P. Manter. On behalf of the House the Chair extends to you ladies and gentlemen a most cordial and hearty welcome, and we hope that you will enjoy your visit with us today. (Applause)

The SPEAKER: The Chair would also like to recognize the return to the House today of one of its Members who has recently undergone serious surgery, and on behalf of the House I want to extend a most hearty and sincere welcome back to Mr. Johnson. (Applause)

### Orders

On motion of Mr. Rankin of Southport, it was

ORDERED, That Rev. Willis Walker of the Southport Methodist Church be invited to officiate as Chaplain of the House on Tuesday, May 14, 1957.

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

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

Mr. STANLEY: Mr. Speaker, I noted last Friday when we adjourned, we adjourned until ten o'clock Tuesday morning. I wonder, because the official clock of the House is still at twenty minutes of nine, whether anything that has gone on this morning is really legal.

The SPEAKER: The Chair would inform the gentleman from Bangor, Mr. Stanley, that that question may be determined after the session in the Speaker's office. Would the gentleman care to request an opinion of the Supreme Court? Don't say "Yes". (laughter)

The SPEAKER: At this time it gives the Chair an especial pleasure to recognize the presence in the gallery of the House of a group of students from the Bar Harbor High School under the escort of Miss Edna Leighton, the Chairwoman of the Committee that arranged this visit to the legislature today. On behalf of the House the Chair extends to you folks from Bar Harbor a most hearty welcome and we hope that you will enjoy your visit here today. (Applause)

(Off record remarks)

### House Reports of Committees Leave to Withdraw

Mr. Ervin from the Committee on Towns and Counties on Bill "An Act Providing for Clerk Hire for Fort Fairfield Municipal Court" (H. P. 396) (L. D. 526) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

### Ought Not to Pass

Mr. Shepard from the Committee on Business Legislation reported "Ought not to pass" on Bill "An Act relating to Retaliatory Provisions of Insurance Law" (H. P. 894) (L. D. 1280)

Report was read and accepted and sent up for concurrence.

### Indefinitely Postponed

Mr. Ross from the Committee on Labor reported "Ought not to pass" on Bill "An Act relating to Limited Medical Services under Workmen's Compensation Act" (H. P. 747) (L. D. 1061) which was recommitted.

Report was read.

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

Mr. STANLEY: Mr. Speaker and Ladies and Gentlemen of the House: The bill which is under consideration is an act to make it possible for those people who would prefer not to use medical remedies as we think of them in case of an accident, and would also as it says in the last paragraph: "Such employee shall submit to all physical examinations as required in this Chapter." It also states that: "provided sanitary and quarantine regulations are complied with." I think this gives an opportunity for those people who do not believe in the regular medical uses that we have, the drugs that are used—and I think those people should have an opportunity to call on the person in whom they have faith in healing. This would include treatment by prayer or spiritual meetings. I would move that the bill be substituted for the "Ought not to pass" Report of the Committee.

The SPEAKER: The motion before the House is the motion of the gentleman from Bangor, Mr. Stanley, that with regard to Bill "An Act relating to Limited Medical Services under Workmen's Compensation Act", the Bill be substituted for the Report.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: As Chairman of the Labor Committee I would like to explain our views.

Workmen's Compensation as originated and established was set up to take care of industrial injuries. Now most of these industrial injuries are things like breaks, lacerations, eye impairment, and so forth. It is very difficult to take a stand in opposition to a measure such as this, because certainly not one of the Committee or the opponents who spoke at the Committee have any quarrel with any religious faith. We certainly respect the beliefs of Christian Scientists. We realize that many people at many times have received aid and comfort for certain types of illnesses thereunder. But we do not believe that industrial accidents can ever fit into this category.

Furthermore, this bill does not just specify Christian Science or Christian Science practitioners—it says “any faith”. And when we questioned the persons who were sponsoring this bill, we found out that they have no schedule of fees for healing by spiritual means. I am an Episcopalian. Under this bill I could have my employer pay for certain services in my church. As one of the opponents said, he said that he was a Roman Catholic and in many cases employees would like to have special masses said and then have their church repaid from the employer's fund.

Now although we certainly are sympathetic to the cause of Christian Science, we do not feel that it is feasible to have spiritual treatment come within the scope of the Industrial Accident Commission. For those reasons, I move the indefinite postponement of this bill.

The SPEAKER: The motion before the House is the motion of the gentleman from Bath, Mr. Ross, that Bill “An Act relating to Limited Medical Services under Workmen's Compensation Act” be indefinitely postponed,—that the Bill and Report be indefinitely postponed. Is the House ready for the question? Will those who favor the indefinite postponement of this Bill and Report please say aye, those opposed, no.

A viva voce vote being taken the motion prevailed and the Bill and Report were indefinitely postponed and sent up for concurrence.

#### **Tabled and Assigned Until Later in Today's Session**

Mr. Ervin from the Committee on Towns and Counties reported “Ought not to pass” on Bill “An Act to Increase the Salaries of the Judge and Recorder of the South Portland Municipal Court” (H. P. 150) (L. D. 188)

Report was read.

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

Mr. TEVANIAN: Mr. Speaker, I would move to table item 188 until one week from today, Legislative Document 188.

The SPEAKER: The motion before the House is the motion of the gentleman from Portland, Mr. Tevanian, that Bill “An Act to Increase the Salaries of the Judge and Recorder of the South Portland Municipal Court”, the Bill and the Report be tabled until one week from today. Is this the pleasure of the House? Will those who favor the tabling motion please say aye, those opposed, no.

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

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

Mr. CHILDS: Mr. Speaker, this bill has been endorsed by the County Commissioners as far as the increase is concerned for the Portland and South Portland Municipal Court. Now apparently the Committee on Towns and Counties has different thinking on this. I certainly would like to have an opportunity, and I know that the Members probably from the South Portland delegation would also like an opportunity, to discuss this matter with some Members of the Towns and Counties. I don't think we should take the time of the House to debate the matter. I therefore would like to have it placed on the table until later in today's session and during that time I will talk to the members of the South Portland delegation, so I move it lie on the table until later in today's session.

The SPEAKER: The motion before the House is the motion of the gentleman from Portland, Mr. Childs, that Bill “An Act to Increase the Salaries of the Judge

and Recorder of the South Portland Municipal Court" be tabled and specially assigned for later in today's session. Is this the pleasure of the House?

The motion prevailed and the Bill and Report were so tabled.

Mr. Hendsbee from the Committee on Towns and Counties reported "Ought not to pass" on Bill "An Act to Increase the Salary of Judge of Western Somerset Municipal Court" (H. P. 22) (L. D. 27)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. Hendsbee.

Mr. HENDSBEE: Mr. Speaker and Members of the House; On this bill and the previous bill we attempted to have all the Judges' salaries more or less equalized on the amount of work that he did in his court. We found that the Judge, unfortunately, in my County, was very much out of line, so I signed the Report. I hope I never have to come into his court, but we felt that in fairness to all the rest of the judges, why this report would stand as it is on the calendar.

The SPEAKER: The question before the House is the acceptance of the "Ought not to pass" Report. Is this the pleasure of the House?

Thereupon the "Ought not to pass" Report was accepted and sent up for concurrence.

#### **Ought to Pass Printed Bill**

Mr. Porell from the Committee on Towns and Counties reported "Ought to pass" on Bill "An Act to Increase Clerk Hire for Probation Officers in Androscoggin County" (H. P. 1008) (L. D. 1434)

Report was read and accepted, the Bill read twice and tomorrow assigned.

#### **Ought to Pass with Committee Amendment**

Mr. Hilton from the Committee on Business Legislation on Bill "An Act relating to Licensing of Special Insurance Brokers" (H. P. 1014) (L. D. 1444) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 1014, L. D. 1444, Bill, "An Act Relating to Licensing of Special Insurance Brokers."

Amend said Bill by inserting after the underlined word "coverage" in the 12th line the underlined words 'may be written under the laws of this State by authorized insurers and'

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

Mr. Emmons from the Committee on Labor on Bill "An Act relating to Employer's Contribution Rate under Employment Security Law" (H. P. 815) (L. D. 1158) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 815, L. D. 1158, Bill, "An Act Relating to Employer's Contribution Rate Under Employment Security Law."

Amend said Bill by striking out the last 4 lines and inserting in place thereof the following:

15%	16%	0.9%	1.1%	1.4%	1.8%	2.7%
16%	17%	0.8%	1 %	1.3%	1.7%	2.7%
17%	18%	0.7%	.9%	1.2%	1.6%	2.7%
18%	19%	0.6%	.8%	1.1%	1.5%	2.7%
19%						
and						
over		0.5%	.7%	1 %	1.4%	2.7%

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

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of a group of seventeen students from Westbrook Junior College from the classes of American Government and Modern Political Philosophies. On behalf of the House the Chair extends to you ladies and gentlemen a most hearty and cordial welcome

and we hope that you will enjoy your visit here today. (Applause)

### Divided Report

Majority Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act to Incorporate the Town of Medford" (H. P. 844) (L. D. 1198)

Report was signed by the following members:

Mr. WYMAN of Washington  
Mrs. LORD of Cumberland  
Mr. FARLEY of York  
—of the Senate.

Messrs. ERVIN of Houlton  
PORELL of Westbrook  
WEBBER of China  
PRUE of Ashland  
—of the House.

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

Report was signed by the following members:

Messrs. HENDSBEE of Madison  
LEATHERS of Hermon  
—of the House.

Reports were read.

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

Mr. DUDLEY: Mr. Speaker, I move that we accept the Minority Report.

The SPEAKER: The motion before the House is the motion of the gentleman from Enfield, Mr. Dudley, that the House accept the Minority "Ought to pass" Report. The Chair recognizes the gentleman from Madison, Mr. Hendsbee.

Mr. HENDSBEE: Mr. Speaker, at the hearing on this bill, and it really was a hearing, I feel that those people were very much justified in asking for this bill, and I would move that we accept the Minority Report.

The SPEAKER: The Chair would advise the gentleman that that motion is already before the House. The motion before the House is the motion of the gentleman from Enfield, Mr. Dudley, that the Minority "Ought to pass" Report be accepted.

Mr. HENDSBEE: Minority "Ought not to pass"?

The SPEAKER: Minority "Ought to pass".

Mr. HENDSBEE: Excuse me.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: This small town is near my area and I would like to say a few words in regard to it. Now these people that have moved into this town, a good deal of them are young people, and they would like to incorporate. The Town has previously been incorporated, and it was mostly older people and they eventually moved away, but now the Town is commencing to be reoccupied and new buildings are being built, and I don't think this House should be against progress. They want to incorporate and be a town and try again, and I think they are entitled to try and be another town and carry on business like any other town. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Brockway.

Mr. BROCKWAY: Mr. Speaker and Members of the House: This is a bill I introduced by request. I don't want to take sides on it. I believe this is something the legislature should settle, but I want to give you just some facts. This town was incorporated in the early 1800's and they operated as a town until somewhere around 1938 I believe or '40, and they deorganized. They couldn't seem to carry on their business and they asked the legislature to deorganize them, and they operated as deorganized for a year or two. And then they were incorporated again as a Plantation, and they operated under a Plantation setup for two years, and then they asked this legislature to deorganize them again. I haven't the dates here. That was a short time ago. The town is divided by a natural barrier, the Piscataquis River, which makes it almost two — it splits the town almost equally, and if the seat of the government runs on one side of the river it will make a long trip for the others to get to their town meetings and town gatherings. Their total valuation is one hundred and thirty-seven thousand, this is as the State values them, one hundred and thirty-seven thousand four hundred dollars, and they have a total — last year's figures, a total of twenty-two thousand three hundred dollars per-

sonal property valuation, and as I said before, these are constituents of mine and I don't want to say anything to make this thing one sided, but I just want to present the facts to this body.

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

Mr. PLANTE: Mr. Speaker, some individuals may feel that I have no business in standing up on this particular matter, but if you will take time and read the referendum in Legislative Document 1198, you will find that it is very liberal. It calls that at least greater than fifty per cent of the voters must vote, and normal charters call for only twenty per cent, so the home rule here should be very important, particularly when it calls for such a large percentage of the voters to turn out.

The SPEAKER: The motion before the House is the motion of the gentleman from Enfield, Mr. Dudley, that the House accept the Minority "Ought to pass" Report on Bill "An Act to Incorporate the Town of Medford". Is the House ready for the question? Is it the pleasure of the House to accept the Minority "Ought to pass" Report?

The motion prevailed, the Minority "Ought to pass" Report was accepted, the Bill read twice and tomorrow assigned.

#### **Divided Report Indefinitely Postponed**

Majority Report of the Committee on Transportation on Bill "An Act Increasing Fees for Motor Vehicle Inspections and Stickers" (H. P. 98) (L. D. 128) reporting same in a new draft (H. P. 1071) (L. D. 1534) under title of "An Act relating to the Inspection of Motor Vehicles" and that it "Ought to pass"

Report was signed by the following members:

Messrs. ROGERSON of Aroostook  
HALL of York  
— of the Senate.  
Messrs. BEYER of Cape Elizabeth  
ALLEN of Chelsea  
KELLY of Rumford  
HERSEY of Fort Fairfield  
STILPHEN of Rockland  
— of the House.

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

Report was signed by the following members:

Mr. COLE of Waldo  
— of the Senate.  
Messrs. JACQUES of Lewiston  
TOTMAN of Bangor  
— of the House.

Reports were read.

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

Mr. HERSEY: Mr. Speaker, I move the acceptance of the Majority Report.

The SPEAKER: The motion before the House is the motion of the gentleman from Fort Fairfield, Mr. Hersey, that the House accept the Majority "Ought to pass" Report.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: You that were here last session probably recall the hashing over that this thing got, but for the new Members I would like to state the case as it appears to me. Now this sticker business, what goes on when you want a sticker? You drive into a garage and they come over and they ask you to turn on your lights, start your windshield wiper and one or two things, probably takes three minutes, everything is okay and they put the sticker on and they get fifty cents. Now we will say that the brakes don't hold or something is wrong, so they walk right straight over to the time clock and they punch it, and from then on you are paying three dollars an hour or two dollars and a half, whatever they happen to charge. Three dollars down in my area. So I don't see why they should want any more than fifty cents for just simply putting on a sticker for the few minutes that it takes. In fact I think and I am sure, that by having to have the sticker and making the public go to these stations, is one of the finest things for business for the garages there can possibly be, because at least twenty-five per cent of the cars must have something done to them, and those that do not—and perhaps more have to—and those that do not for three to

five minutes fifty cents, I think it is ample payment. I do not think that this bill should pass and I move indefinite postponement of it.

The SPEAKER: The motion now before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, that the House indefinitely postpone this bill. The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: As most of you in this House know that happens to be in a line of business that I am very much interested in and conduct every day. Now before we leave here we are liable to go home and have to put a tax on the people, a major tax. Let's not nuisance tax them to death. This is a tax that is put on their windshield and they can see it every time they get into their automobile, and condemn the 98th Legislature.

I know of no garage man that is starving or needs this extra increase in pay. As a matter of fact, they all know how to charge, including myself. (Laughter) I would like to say further to you people that do business, how much you would like to have somebody pass a law that would drive somebody into your place of business twice a year. If you were any kind of a businessman you would sell them something before they got out of there, and I am sure the garage man will. He will sell them a front-end job, a rear tire or something else. Very few get out for fifty cents. The fifty cents is just to get them in there. I hope the motion prevails to indefinitely postpone this measure.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I didn't intend to get in this, but here I am. For the information of the House, I want to say something that is fresh in my mind, because I stopped on the way down here yesterday to get my car inspected, and I thought that I knew that the fee was fifty cents. I paid seventy-five cents and the gentleman who inspected my car didn't do anything except put on the sticker and do these things that are required in an inspection.

In other words, no mechanical work was done. If he had charged me two dollars I would have paid it and I wouldn't have said a word. I have no objection to paying the seventy-five cents, but I feel that the thing is well taken care of under the present law, and I think we might do just as well to leave it where it is.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I want to be sure you notice that I signed the Minority Report. (laughter) If you go along with the measure to indefinitely postpone, it would be nice to win once this morning. I would like to state very briefly why I signed the Minority Report. I think the gentleman from Enfield, Mr. Dudley, has made the remark that I had in mind in signing the Report, that very likely this legislature may pass one or maybe two taxing measures, and I feel that a third one would be perhaps the straw that breaks the camel's back, and that is my reason for signing the Minority Report.

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

Mr. HERSEY: Mr. Speaker, this measure I don't believe is a question of how much the garage can charge. It does raise the fee from fifty cents to a dollar, but I think if you will take time to read the redraft of the bill, you will find that it also clarifies the situation to quite a great extent. I will admit that fifty cents is ample, in fact, too much to sell stickers over the counter like a good many of the so-called inspection stations are doing, but I submit if you follow the instructions and do the inspection as required by the Secretary of State Department, it will take you at least twenty minutes and not three minutes. It will take them three minutes to check your motor and serial number alone, let alone do the paper work that is involved. I am not arguing against the indefinite postponement of the bill, I will go along with it.

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

Mr. QUINN: Mr. Speaker, I would like to address a question through the Chair to Mr. Totman, the gentleman from Bangor, relative to this bill. The stress seems to be in this bill on the increase in the inspection fee from fifty cents to a dollar. That is a very small paragraph in a two page bill. I wondered if there wasn't something else in the bill that had to do with highway safety in the inspection of motor vehicles that might be of some value.

The SPEAKER: The gentleman from Bangor, Mr. Quinn, addresses a question through the Chair to the gentleman from Bangor, Mr. Totman, who may answer if he so chooses.

Mr. TOTMAN: Mr. Speaker and Members of the House: I will try to answer the question as briefly and honestly as possible. In the first place, as far as highway safety, this is not a measure that was sponsored nor is it singled out by the Governor's Committee on Highway Safety. The reason for the rather lengthy redraft is there were certain members of the Committee—I regret that the one who was most responsible for this redraft is not here this morning—is that they felt if the House decided to go along with the increase there was certainly some merit in having ten cents rather than having five cents which the State receives out of each inspection fee to attempt to improve the method of inspecting the inspection stations. Quite frankly again I do know while the redraft is attempting to do it, there is still some question in the minds of the Committee whether having the inspection stations inspected by inspectors from the Secretary of State's office who would in turn have to be backed up by the State Police, is really the best way at this time to tackle the problem, and in answering the gentleman from Bangor, Mr. Quinn, I would say that I as a member of this Committee do not feel that this thoroughly solves the problem of overcoming some of the difficulties in inspection stations, and for that reason I continued to sign the new draft "Ought not to pass".

The SPEAKER: Does that answer the gentleman's question?

Mr. QUINN: I want to thank the gentleman from Bangor, Mr. Totman, but he still got onto the finance string there relative to stickers. Now as I understand inspections the whole reason for inspections is to determine the fitness of vehicles to be on the highways, and I notice some of these paragraphs here seem to go into more thorough inspection of the stations and control of the station, apparently from the Secretary of State's office as an administrative proposition apparently with the idea of getting a more thorough and careful inspection, all with the purpose of saving lives and the loss of property on the highway. Now this is the only method we have of keeping old and dilapidated and worn out vehicles off the highway, and it appears to me that it might be a matter, there might be material in here to strengthen the Secretary of State's office in the enforcement without giving the financial increase that the bill carries, and it might be that we should give a little more thought to this as the safety element which is the basic and main purpose before we throw it and discard it. Because of that situation, I would like to ask if this matter might be tabled to Thursday to give us an opportunity to discuss this with the Secretary of State's office.

The SPEAKER: The motion now before the House is the motion of the gentleman from Bangor, Mr. Quinn, that Bill "An Act relating to the Inspection of Motor Vehicles" be tabled and specially assigned for Thursday of this week pending the motion of the gentleman from Bowdoinham, Mr. Curtis, that the Bill be indefinitely postponed. Will those who favor the tabling motion please say aye, those opposed, no.

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

The SPEAKER: The motion now before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, that the Bill and both Reports be indefinitely postponed. Is the House ready for the question? The Chair recognizes the gentleman from Chelsea, Mr. Allen.



Mr. ALLEN: Mr. Speaker, as a signer of the "Ought to pass" Report, I think I should state my reasons for signing that. It was not merely to increase the fee for the garages, but more as a safety measure as the gentleman from Bangor, Mr. Quinn, mentioned. This was discussed quite thoroughly in Committee and it was rehearsed several times, and it was felt by the majority of the Committee that we are getting poor inspections. In fact some Members of the Committee testified that they merely drove their car in, and automatically got a sticker without anything being done. Nobody jacked the car up and checked the wheels for alignment or the king pins and bushings or really tested the lights. They just took one look at the car and saw it was a late model car and slapped a sticker on it.

Now we think that the public should be protected and in protecting the public we should have inspections of the inspection stations. Now the State Police should do that but they apparently don't have the time. They increased the number of State Police two years ago and we still get no better inspections under the inspection fee prevailing. Under this bill there is a section, Section 46-A, which would have to do with the approval of the inspection stations and it would allow the Secretary of State and not the State Police to check up on these stations and see whether they are operating right or not, and in case of a vehicle that does not pass inspection at one station he takes notice and a copy of that is sent to the Secretary of State and to the State Police that that car has been turned down for inspection. Therefore, it will spoil his chances of going to another garage down the line who doesn't operate quite so well as the gentleman from Fort Fairfield, Mr. Hersey, does, and get a sticker put on even though it doesn't pass a good rigid inspection. This bill is primarily a safety measure although there is an extra nickel that does go to the State Treasury and an extra forty-five cents to the inspector to encourage him to do a better job, so that is my reason for signing the "Ought to pass" Report.

The SPEAKER: The motion before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, that Bill "An Act relating to the Inspection of Motor Vehicles" House Paper 1071, Legislative Document 1534, and both Reports be indefinitely postponed. Is the House ready for the question?

Will those who favor the indefinite postponement of the Bill and both Reports please say aye, those opposed, no.

A viva voce vote being taken the motion prevailed, the Bill and both Reports were indefinitely postponed and sent up for concurrence.

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of the House of a group of ladies from the League of Women Voters of Kittery, and a group of fifth grade pupils from the Farwell School of Lewiston accompanied by Miss Coumont. On behalf of the House the Chair extends to you ladies and gentlemen a most cordial welcome and we hope that you will enjoy your visit with us today. (Applause)

### Passed to Be Engrossed

Bill "An Act relating to Definition of Fiduciary under Law Appointing Nominees by Banking Institutions" (S. P. 372) (L. D. 995)

Bill "An Act relating to Unclaimed Bodies" (S. P. 450) (L. D. 1265)

Were 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 Tabled and Assigned

Bill "An Act relating to Examinations for Certain Persons to Practice Barbering" (S. P. 539) (L. D. 1511)

Was reported by the Committee on Bills in the Third Reading.

(On motion of Mr. Hanson of Gardiner, tabled pending third reading and specially assigned for tomorrow.)

Bill "An Act Increasing Salary of Selectmen of Town of Mount Desert" (H. P. 169) (L. D. 216)

Bill "An Act relating to Rental of Westbrook Municipal Court" (H. P. 730) (L. D. 1034)

Bill "An Act relating to Special Town Meetings in Town of Winslow" (H. P. 915) (L. D. 1276)

Bill "An Act relating to Certain Penalties for Motor Vehicle Violations" (H. P. 1067) (L. D. 1527)

Bill "An Act relating to Reciprocal Agreements with New Hampshire Concerning Zonal Operation of Commercial Vehicles in Intrastate Commerce" (H. P. 1068) (L. D. 1528)

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

#### Amended Bills

Bill "An Act relating to Crab Fishing" (S. P. 357) (L. D. 963)

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

Bill "An Act relating to Legal Length of Lobsters" (S. P. 422) (L. D. 1181)

Was reported by the Committee on Bills in the Third Reading.

The SPEAKER: The Chair recognizes the gentleman from North Haven, Mr. Baird.

Mr. BAIRD: Mr. Speaker, I move we reconsider the adoption of Committee Amendment "A".

The SPEAKER: The gentleman from North Haven, Mr. Baird, with respect to item ten, Bill "An Act relating to Legal Length of Lobsters" moves that the House reconsider its action whereby it adopted Committee Amendment "A" on April 26. Is this the pleasure of the House?

The motion prevailed.

Mr. BAIRD: I now move indefinite postponement of Committee Amendment "A" and offer House Amendment "A" in its place.

The SPEAKER: The gentleman from North Haven, Mr. Baird, moves that Committee Amendment "A" be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed.

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

HOUSE AMENDMENT "A" to S. P. 422, L. D. 1181, Bill, "An Act Relating to Legal Length of Lobsters."

Amend said Bill by inserting in the 1st line before the headnote 'Sec. 1.'

Further amend said Bill by indicating the striking out of the figure "5" in the 6th line by drawing a line through said figure '5' and inserting immediately after said stricken out figure, the underlined figures '5 3/16'.

Further amend said Bill by indicating the striking out of the figure "5" in the 12th line by drawing a line through said figure '5' and inserting immediately after said stricken out figure, the underlined figures '5 3/16'.

Further amend said Bill by adding at the end thereof the following:

'Sec. 2. Effective date. The provisions of this act shall become effective on January 1, 1958, except that the provisions of this act which relate to the maximum length of lobsters shall be effective only until January 1, 1960, at which time the maximum legal length shall revert back to 5 inches.'

The SPEAKER: The Chair recognizes the gentleman from North Haven, Mr. Baird.

Mr. BAIRD: Mr. Speaker, this amendment is offered in the interest of harmony. Some of the fishermen along the coast felt that if they could keep some of the larger lobsters for this definite two-year period it would ease them over this period when they feel they will suffer some loss of catch, that this would make it easier for them. Although I don't agree wholeheartedly with it, I do feel that there is definite opposition to this in some sections, and if this will bring about harmony and agreement on this and make it easier I am willing to go along with it.

The SPEAKER: The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, since I tried to table this bill last Friday for a few days and didn't win out, I would just like to keep the record clear that my thoughts are similar to the gentleman from North Haven, Mr. Baird. All of my fishermen aren't too happy about this thing, and some of them still would rather see nothing done at all because they feel that this is a dealer's promotion

bill, but the purpose for what I intended to table it for seems to be partially accomplished. I just want to put this on the record in case I have to seriously oppose it later. Thank you.

The SPEAKER: The motion before the House is the motion of the gentleman from North Haven, Mr. Baird, that House Amendment "A" be adopted. Is this the pleasure of the House?

The motion prevailed and House Amendment "A" was adopted, the Bill read the third time, passed to be engrossed as amended by House Amendment "A" and sent to the Senate.

Bill "An Act relating to Date of State Convention" (H. P. 945) (L. D. 1338)

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.

### Third Reader Tabled

Bill "An Act relating to Sales Financing of Motor Vehicles" (H. P. 993) (L. D. 1421)

Was reported by the Committee on Bills in the Third Reading.

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

Mr. BREWER: Mr. Speaker, with respect to item twelve and for purposes of further amendment, I move this item lie upon the table unassigned pending third reading.

The SPEAKER: The gentleman from Caribou, Mr. Brewer, with respect to item twelve, Bill "An Act relating to Sales Financing of Motor Vehicles", moves that this be tabled unassigned pending third reading. Is this the pleasure of the House? Will those who favor the tabling motion please say aye, those opposed, no.

A viva voce vote was taken and the Chair being in doubt ordered a division.

Mr. TOTMAN: Mr. Speaker?

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

Mr. TOTMAN: Mr. Speaker, before the division motion is put, may

I ask through the Chair if I am in order to debate the time of assignment?

The SPEAKER: There has been no time assigned so there is no subject to debate.

Will those who favor the tabling of item twelve, unassigned, pending third reading please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-nine having voted in the affirmative and fifty in the negative, the bill was tabled unassigned.

The gentleman from Bangor, Mr. Totman, was granted unanimous consent to address the House briefly out of order.

Mr. TOTMAN: Mr. Speaker and Members of the House: I think perhaps the time has arrived when it would be in order and perhaps opportune for me to explain why I shall continue to oppose henceforth any measures that are requested for tabling unassigned.

It appears to me that at this late date in the session if a person is seriously interested in offering an amendment, certainly that amendment should be able to be prepared within one week. I would like to make—one point clear to the gentleman from Caribou, Mr. Brewer. I certainly respect his right to table and I certainly would have supported any motion which carries a definite date of assignment, but I certainly hope this House will think twice before at this time we start to allow bills to be put on the table unassigned since—I repeat, if you can't get the amendment prepared in one week, then I seriously question if you have an amendment in mind.

Mr. CALL: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman rise?

Mr. CALL: Point of question from the floor leader.

The SPEAKER: Does the gentleman request unanimous consent to address the House?

Mr. CALL: I do.

The gentleman from Cumberland, Mr. Call, was granted unanimous consent to address the House briefly out of order.

Mr. CALL: I would ask a question through the Chair, do I understand

that the unassigned matters will come off the table automatically beginning a week from this Wednesday?

The SPEAKER: The gentleman from Cumberland, Mr. Call, addresses a question through the Chair to the gentleman from Bangor, Mr. Totman, who may answer if he so chooses.

Mr. TOTMAN: Mr. Speaker, I am glad to have an opportunity to answer that question. The gentleman from Cumberland, Mr. Call, is apparently referring to the House Order which I had stated last Friday I would attempt to take from the table today and it would be submitted to the House for passage or refusal. It is not yet effective and it is up to you people today in the House to decide whether you want that order, and that will come up later in the day.

#### **Passed to Be Enacted Emergency Measure**

An Act to Incorporate the North Yarmouth Water District (S. P. 472) (L. D. 1351)

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. 135 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 Law on Inspection of Records of Clerks of Courts (H. P. 1055) (L. D. 1501)

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. 136 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.

#### **Passed to Be Enacted**

An Act Revising the Law Relating to Peaceful Uses of Atomic Energy (S. P. 478) (L. D. 1383)

An Act relating to Crimes Committed on the Maine Turnpike (S. P. 530) (L. D. 1497)

An Act relating to Sick Leave Benefits for Employees of the Department of Public Works of the City of Lewiston (H. P. 374) (L. D. 504)

An Act relating to Jurisdiction of Trial Justices in Towns of Kittery and York (H. P. 684) (L. D. 973)

An Act to Incorporate the Town of West Paris (H. P. 826) (L. D. 1172)

An Act to Establish the Wiscasset Sewerage District (H. P. 923) (L. D. 1312)

#### **Finally Passed**

Resolve Regulating Taking of Smelts in Valley Brook, Cumberland County (H. P. 90) (L. D. 124)

Resolve in favor of John F. Choate of Winslow (H. P. 549) (L. D. 776)

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

#### **Enactor Tabled and Assigned**

Resolve in favor of George E. Bagnall of Houlton (H. P. 550) (L. D. 777)

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

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

Mr. ERVIN: Mr. Speaker, I am advised by the Attorney General's Department this morning that in order that this Resolve in favor of George E. Bagnall of Houlton do what it is intended to do, that an amendment from the Attorney General's office should be offered, and I therefore ask that this item eleven lie on the table until tomorrow so I may have an amendment prepared.

The SPEAKER: The gentleman from Houlton, Mr. Ervin, moves that item eleven, Resolve in favor of George E. Bagnall of Houlton, be tabled pending final passage and specially assigned for tomorrow. Is this the pleasure of the House?

The motion prevailed and the Resolve was so tabled.

An Act relating to Mortgage Loans by Savings Banks (S. P. 406) (L. D. 1139)

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

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

Mr. WADE: Mr. Speaker, I move that under suspension of the rules the House reconsider its action whereby item twelve was passed to be engrossed on April 23.

The SPEAKER: The gentleman from Auburn, Mr. Wade, moves that under suspension of the rules the House reconsider its action whereby Bill "An Act Relating to Mortgage Loans by Savings Banks", Senate Paper 406, Legislative Document 1139, was passed to be engrossed on April 23. Is this the pleasure of the House?

The motion prevailed.

Mr. Wade of Auburn offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 406, L. D. 1139, Bill, "An Act Relating to Mortgage Loans by Savings Banks."

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

**'R. S., c. 59, § 19-H, sub-§ I, ¶ F, amended.** Paragraph F of subsection I of section 19-H of chapter 59 of the Revised Statutes, as enacted by section 1 of Chapter 380 of the public laws of 1955, is hereby amended to read as follows:

**'F.** Any interest in real property which may now be mortgaged to a savings bank under the provisions of paragraphs A to E, inclusive, of this subsection may be mortgaged to secure existing debts or obligations, to secure debts or obligations created simultaneously with the execution of the mortgage, to secure future advances necessary to protect the security and to secure future advances to be made at the option of the parties up to a total amount stated in the mortgage, and all such debts, obligations, and future advances shall, from the time the mortgage is filed for record as provided by law, be secured by such

mortgage equally with, and have the same priority over the rights of all persons who subsequent to the recording of such mortgage acquire any rights in or liens upon the mortgaged real estate, as the debts and obligations secured thereby at the time of the filing of the mortgage for record from and as of the time the mortgage is filed for record as provided by law, be secured by such mortgage and have priority over the rights of all persons who subsequent to the recording of such mortgage acquire any rights in or liens upon the mortgaged real estate to the extent the aggregate amount outstanding at any one time of such debts, obligations and future advances shall not exceed the total amount stated in the mortgage; except that: The provisions of this paragraph shall apply to all banks and trust companies.

1. The mortgagor or his successor in title is hereby authorized to file for record, and the same shall be recorded in the same recording office as the original mortgage, notice limiting the amount of optional future advances secured by such mortgage to not less than the amount actually advanced at the time of such filing, provided a copy of such filing is also filed with the mortgagee, and

2. If any optional future advance shall be made by the mortgagee to the mortgagor or his successor in title after written notice is received by the mortgagee of any mortgage, lien or claim against such real property which is junior to such mortgage, then the amount of such advance shall be junior to such mortgage, lien or claim of which such written notice was given.

**The provisions of this paragraph F shall apply to all banks and trust companies."**

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

#### Orders of the Day

The SPEAKER: Under Orders of the Day the Chair lays before the House the first item of unfinished business, House Report "Ought not to pass" of the Committee on Judi-

ciary on Bill "An Act relating to Opening Obstructions in Waters to Maintain Fish Life", House Paper 999, Legislative Document 1427, tabled on April 25 by the gentleman from Enfield, Mr. Dudley, pending acceptance of the report, and the Chair recognizes that gentleman.

Mr. DUDLEY: Mr. Speaker and Members of the House: I would like to substitute the Bill for the Report and by doing so, if you accept that we can save some time on legislation. I have an amendment to offer but I would like to offer it on the third reading. That will give me some time to prepare it, and I would like to speak briefly on the measure.

The SPEAKER: The Chair understands that the gentleman from Enfield, Mr. Dudley, moves that the Bill be substituted for the Report. Is this the pleasure of the House?

The motion prevailed and the Bill was given its first reading.

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

Mr. BROWNE: Mr. Speaker and Ladies and Gentlemen of the House: I will frankly admit that the Committee on Judiciary felt somewhat out of their element in discussing the conservation measure with reference to fish life. But however, there were some convincing arguments presented in opposition to this measure. For example, there is a necessity to maintain a certain level of water on some of the waters that would be affected hereby, for the purposes of operating certain machinery such as your hydro-electric companies and other industries depending on water power for their operation. Secondly, there is also a problem of maintaining a sufficient water level in the waters which would be affected hereby from which we get our domestic water supply for drinking and for fire fighting. And in the dry season this would be particularly important, and I don't think we should be placed in a position of jeopardizing our domestic water supply for this conservation method.

Now, the other matters or the other problems which gave us a great deal of concern is the actual workability of this Bill. For example, this is a small bill and I would like to read it

to you. It says that any person owning, operating or controlling any dam or other obstructions across any river, creek or other stream in this State shall at all times keep the same open so as to permit a flow of water sufficient to maintain fish life in the stream below such dam or other obstruction. Now our problem is this, what flow of water is sufficient to maintain fish life? This could be a subject of controversy, and I doubt that it can be defined. The other problem is what constitutes below such dam or other obstruction? It does seem that we have to maintain a sufficient flow of water, if we can define that, all the way down the stream or the body of water to its mouth, or is it just before the dam, or below the dam or in front of the dam, or however you want to describe it. And for these reasons I believe it is impossible to work with this law on the books.

Mr. Speaker, I request permission to approach the rostrum.

The SPEAKER: The gentleman may approach the rostrum.

Mr. BROWNE: I now move that this matter and its accompanying papers be indefinitely postponed.

The SPEAKER: The motion now before the House is the motion of the gentleman from Bangor, Mr. Browne, that Bill "An Act relating to Opening Obstructions in Waters to Maintain Fish Life" be indefinitely postponed.

The Chair recognizes the gentleman from Brunswick, Mr. Walsh.

Mr. WALSH: Mr. Speaker, I see no harm in the House having the privilege of seeing what the amendment contains. I see no reason why we should indefinitely postpone this Bill at this time. I don't think there is anybody in this Legislature that wants to take and harm industry, that wants to take and harm the hydro-electric plants in any manner or means, or the lumbering operations or pulp operations or anything else. I think we should have the right to see what the amendment contains. I do think we have the right in so far as it is possible to keep the electric companies or the paper companies so long as it is not harmful to their operations, to keep from lowering the water off the spawning beds of our game fish, which are so widely advertized, if it is possible to do so.

I think that under the amendment that is going to be offered that just that can be done. I am certainly opposed to the motion of indefinite postponement until we know what the amendment contains.

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

Mr. DUDLEY: Mr. Speaker and Members of this House: I was hoping that we wouldn't have to get into the discussion of fish this morning, I have already spoken before you so many times this morning. But it now becomes necessary.

First of all our fish in the State of Maine is a natural resource. They deserve some consideration by all of us. Now, this measure merely gives some control to the State on who controls the water level within the State of Maine. Now, at the present time most of our game fish lay their eggs sometime after September 15, in each county below the dams of the outlets of lakes. At the present time certain companies can open these dams at their discretion, wide open, and flush the eggs, the fish eggs or the hatch so-called, into the woods. In other cases they can spike the dams completely tight or nearly so and leave the eggs laying bare on the rocks. This is what the bill is intended to do. I also want to say that at least three other states have this exact same bill copied from them. They are living with utility companies, they still have electric lights.

That is some of the things that I wanted to mention, there are many others but I won't drag on on such a minor piece of legislation as this might be called. I do have an amendment, I think it will be presentable to at least some on the Judiciary Committee, the amendment will make it so that they will receive it with a little better understanding.

The SPEAKER: The motion before the House is the motion of the gentleman from Bangor, Mr. Browne, for the indefinite postponement of the Bill "An Act relating to Opening Obstructions in Waters to Maintain Fish Life".

The Chair recognizes the gentleman from North Haven, Mr. Baird.

Mr. BAIRD: Mr. Speaker and Members of the House: Last summer I

personally observed a case where this Bill would have worked very well. I was up to Second Roach Pond several times to fish, and Ray O'Donnell was keeping a good flow of water down through the fishway there. He was gone for a couple of days and a representative of the Kennebec Water Company came up there and pulled the dam open and let all the water out. And there was no water going down through the fishway and a good many nice trout smothered in that fishway where there wasn't any water circulating. It wasn't necessary at all, it could have been done in a different way if they had let a man tend it, but they wanted to open it and go off and leave it.

I think when this Bill is amended in the way that the gentleman from Enfield, Mr. Dudley, explained it to me, so that in places where there are no game fish they won't be affected by this and so forth, that it would be a workable bill, and I would like to see it go through.

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

Mr. TEVANIAN: Mr. Speaker and Members of the House: As a member of the Judiciary Committee I didn't understand this Bill when we discussed it. I don't think that it has received its proper hearing. I would now make a motion to commit this Bill to the Inland Fisheries and Game Committee.

The SPEAKER: The motion now before the House is the motion of the gentleman from Portland, Mr. Tevanian, that Bill "An Act relating to Opening Obstructions in Waters to Maintain Fish", House Paper 999, Legislative Document 1427, be committed to the Committee on Inland Fisheries and Game. Is this the pleasure of the House?

The motion prevailed and the Bill was committed to the Committee on Inland Fisheries and Game, and sent up for concurrence.

The SPEAKER: Under Orders of the Day the Chair lays before the House the second item of unfinished business, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass", of the Committee on Education on Bill "An Art Creating a Salary Grant

for Teachers", House Paper 964, Legislative Document 1436, tabled on April 25 by the gentleman from Portland, Mr. Maynard, pending acceptance of either report, and the Chair recognizes that gentleman.

Mr. MAYNARD: Mr. Speaker and Members of the House: I should like to first of all explain my position on this Bill. I was the only one of the Committee who voted that it should pass.

Now, what this Bill would do simply would be to bring in a new concept of State support of teachers, and for this reason and for one or two others which I would like to outline, I supported this Bill.

A quotation from Charles F. Kittering reads as follows: "The world hates a change yet change is the only thing that has brought progress."

For many years our support of teacher's pay has been local. The day will come, Ladies and Gentlemen, when much more of the burden will have to be supported by the State. This Bill would, through town and State cooperation, increase teacher's pay on the average of about \$600 per year. Now, before I sit down I would like to point out just one main fact, I think you ought to think this one over. I realize this Bill hasn't any chance really, but do you know that if we were to appropriate money on a State level to bring the average teacher's pay in Maine up to our ability to pay per capita income, we would have to raise in the neighborhood of ten million dollars per year. Now, I am not talking about what a teacher deserves to get. Some of them, I will admit, may not deserve what they are getting. But that, my friends, I think is a result of what we are offering. We get what we pay for in this world.

And the other states, most of them, are going by us so fast that even with this Jacobs-Sinclair Bill in the offing, we are still going to be many steps behind.

Now the gentleman from Madawaska, Mr. Rowe, through a very courageous measure, has introduced this new concept, a very modest amount a year by the way, I think it is in the neighborhood of two million, compared with the ten I spoke of, would start the ball rolling. Now,

I know the majority is not in favor of this Bill. As a companion piece to this Bill for an appropriation he had the courage, and some people think the audacity, to introduce a bill aimed directly at our wealthiest groups of industries. Now, that bill might be in part inequitable. But I submit that if a company makes a profit of four million dollars and pays more than four million to the Federal Government in taxes, it would seem plausible that the State should get something instead of nothing as its share. Those are things I would like to have you consider, ladies and gentlemen, because the day is going to come when we offer our pittance for teachers and there will be no one to accept. That is my position on this measure and I would like to yield at this time to the sponsor of this Bill, the gentleman from Madawaska, Mr. Rowe.

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

Mr. ROWE: Mr. Speaker and Members of the House: I am not going to, I hope, ask for a special consideration on this particular Bill, but I would like to make a motion, and the motion has two reasons behind it. First of all there is a past measure that has been introduced that has had its public hearing, and which has not been reported out of committee, which is to support, the monies from this past bill if passed is to support or go in payment for this Bill. Number two reason, we already today have a measure, an educational bill which is going to be laid before us for consideration and debate at large, and in my opinion, I think that both of these bills deserve careful scrutiny and trust. Therefore, for the two reasons I would like to yield for the time that we have remaining in the day to debate on the Sinclair Bill, and I would like to move to retable and specially assign this Bill for full debate and discussion on Thursday of next week.

The SPEAKER: The motion now before the House is the motion of the gentleman from Madawaska, Mr. Rowe, that Bill "An Act Creating a Salary Grant for Teachers", House Paper 964, Legislative Document 1436, be tabled and specially assigned for Thursday of next week



pending acceptance of either report. Is this the pleasure of the House?

The motion prevailed and the Bill with accompanying papers was tabled specially assigned for Thursday, May 9, pending acceptance of either report.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the third item of unfinished business, Bill "An Act relating to Splash Guards for Motor Trucks", House Paper 1010, Legislative Document 1414, tabled on April 25 by the gentleman from Bangor, Mr. Totman, pending motion of the gentleman from Lewiston, Mr. Jalbert, to indefinitely postpone House Amendment "A".

The Chair recognizes the gentleman from Chelsea, Mr. Allen.

Mr. ALLEN: Mr. Speaker, I arise to support the motion of the gentleman from Lewiston, Mr. Jalbert, that House Amendment "A" be indefinitely postponed. The amendment strikes out a major part of the Bill which received careful consideration and a lot of investigation on the part of the members of the Committee, and was inserted in the Bill to insure its passage. So I think that the amendment changes the immensity of the Bill and should be indefinitely postponed.

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

Mr. QUINN: Mr. Speaker, I would go along with the motion for this reason: Since I put in my motion to amend the Bill, Amendment "B" was offered, having to do with fire trucks. And if my motion was carried it would eliminate that amendment which has already been adopted.

Now, the gentleman from Waterville, Mr. Coyne, has an Amendment "D" to be offered which will get the House back into the same situation, only an improved situation, that is filing 286, only into an improved situation, so I would go along with the motion at this time to indefinitely postpone House Amendment "A".

The SPEAKER: The motion before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, to indefinitely postpone House

Amendment "A". Is the House ready for the question?

Will those in favor of indefinitely postponing House Amendment "A" please say aye; those opposed, no.

A viva voce vote being taken the motion prevailed and House Amendment "A" was indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Coyne.

Mr. COYNE: Mr. Speaker, I have House Amendment "D" and move for its adoption.

The SPEAKER: The gentleman from Waterville, Mr. Coyne, presents House Amendment "D" and moves its adoption.

The Clerk will read House Amendment "D".

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

HOUSE AMENDMENT "D" to H. P. 1010, L. D. 1414, Bill, "An Act Relating to Splash Guards for Motor Trucks."

Amend said Bill by inserting in the 3rd line of that part designated "Sec. 141-A" after the word "guards", the underlined words 'sufficiently weighted or fenders'.

Further amend said Bill by striking out all after the word "thereof" in the 5th line of that part designated "Sec. 141-A" and inserting in place thereof the underlined sentence: 'The provisions of this section shall not apply to fire department vehicles'.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Reading the words of the amendment of the gentleman from Waterville, Mr. Coyne, "sufficiently weighted or fenders" in my opinion, is another way to duck the issue of the contents of this Bill.

I think these amendments are honest and are certainly due consideration, but I think that they will harm a very good piece of legislation. It would stop no one from putting up a plate of some sort and saying that is sufficient. And who would be the court in that ruling?

I move the indefinite postponement of this amendment and before I sit down I might state, Mr. Speaker and Members of the House,

that the ayes were rather harsh upon me at times last Friday, but I did enjoy a splendid lobster.

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

The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker and Members of the House: I started out with this Bill under my own name but on the way somehow lost it, it came out on the Committee Report, the gentleman from Cape Elizabeth, Mr. Beyer, but I am deeply concerned and interested still with the Bill. And my purpose and aim originally was to make it motor trucks to include each and everything. But as you know the hard time we had two years ago to even get motor truck trailers considered as part of the law, and whereby this particular bill as it is written now would serve a useful purpose and would also be a safety factor, although it is not condoned or sanctioned by the Highway Safety Committee, it certainly would fit into their program. And I am not going to voice my opinion whether to indefinitely postpone it or not, but to salvage some useful purpose I hope that we save some part of this Bill before we get through.

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

Mr. BRAGDON: Mr. Speaker, I thought I understood the Bill as it came out of the Committee on Transportation, and I thought that it was a good bill and a workable bill. I cannot sufficiently understand this amendment, and fearing that it may not leave the Bill as we had it originally I want to go along with the motion of the gentleman from Lewiston, Mr. Jalbert, to indefinitely postpone, hoping that we can get back to the original bill as it came out of the Committee on Transportation.

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

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: This Bill from the viewpoint of highway safety is most important. Anyone that drives a car on the

highway or rides in a car on the highway when the weather is wet and the highway is wet, gets behind another vehicle that isn't adequately protected from throwing dirt and dirt materials from the highway onto your car and your windshield, knows that unless something is done toward correcting that situation there is a very serious hazard that is involved. In other words, one of the most valuable assets to the operator of a motor vehicle while driving is visibility, ability to see. And when his windshield gets all covered with dirt because the person in front of him doesn't have the courtesy to provide his vehicle with the appropriate means of preventing that, it places the driver of the vehicle in a position where he has one of two choices to make. He will either drive slowly and allow his windshield wipers to function long enough to clear his windshield, or if he is in a hurry he is very apt to pull out from behind that vehicle to pass it on the highway at a time when certainly he should not pass because of his inability to see. And the likelihood on a two-way highway of an accident is very, very good.

Now if a person takes that last method and pulls out to avoid continually receiving this dirty material on his windshield and tries to pass, he is very apt to run headlong into a vehicle coming in the opposite direction in which you or I or our neighbor may be a passenger, and involved in a verious serious accident.

Now the original bill, the only thing this amendment does to the original bill is make all vehicles that use the highway have an appropriate splash guard properly weighed so it isn't flying up in the air, so it is hanging down and doing the job that it is supposed to do, or in lieu thereof have fenders on those rear wheels to take care of that slush and splash. Now, the original bill had some exceptions. It had three exceptions. It excepted vehicles whose gross weight was fourteen thousand pounds or less. Now, some of those vehicles have fenders, and if they have they are taken care of under the fender amendment. If they have no fenders they certainly should have splash guards because

they can throw dirt up as any other vehicle throws dirt up.

The next one is dump trucks. And it was said that a dump truck in construction work couldn't very well have those splash guards on. Now, those splash guards don't need any particular uniform design. A piece of heavy canvass or rubber that would be flexible could be very well tacked on the body of those dump trucks back of those wheels so it would prevent those vehicles who are out on the highway in wet weather from throwing up dirt. Most of those dump trucks have dual wheels on the rear and throw up plenty of dirt. You will recall seeing them on the highway with the high body and the dual wheels. Now, if they had a heavy piece of canvass or some inexpensive material fastened on the back to act as a curtain behind those wheels it wouldn't cost them very much money and that would be a sufficient splash guard if it adequately prevented the splashing of the material. Therefore, I saw no reason why they should be excepted.

And the third exception was the truck tractor when it was not hauling its trailer. Now, that vehicle also, when it is out on the highway without a trailer, has dual wheels, and moves along at the same speed as most of our passenger vehicles. And to get behind one of those they can be as bad, if not the worst kind of a vehicle to get behind on a wet road. Now, they in order to meet the requirement of a splash guard would have to have an arm welded on the back of them so that they could have a curtain down over those wheels to prevent splashing.

But the whole effort is the safety on the highway to prevent this injury and damage to the visibility of the windshields of these cars. Now, it appears to me that if it should apply to one it should apply to all. It is all for the purpose of safety and it can be done without any great expense. Therefore, I would suggest that the pending motion to indefinitely postpone should be defeated for the benefit of highway safety.

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

Mr. BRAGDON: Mr. Speaker, I would like to ask a question through the Chair of the gentleman from Ban-

gor, Mr. Quinn. I would be interested to know if the gentleman from Bangor, Mr. Quinn, would give me a practical way that we could put splash guards on farm tractors while we are operating them to and from—I would like to know how to do it. I feel that the practical aspect of the thing has been presented to the Committee on Transportation, but if he would answer that one question it might remove at least one of my objections.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, has directed a question through the Chair to the gentleman from Bangor, Mr. Quinn, who may answer if he chooses.

Mr. QUINN: Well, some farm tractors that I have seen are equipped with fenders. There are some home made farm tractors that have nothing on the wheels to protect them from throwing dirt at all, and it appears to me that if they are going out to use the highway they can be just as great a hazard on the highway if they are running along at a fast clip of speed, as any vehicle that has revolving wheels throwing material into the air. And if they do they could have welded onto the back of them an arm upon which a screen or a curtain could be attached while they were on the highway, to be taken off in the field if necessary.

The SPEAKER: Does that answer the gentleman's question?

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

Mr. CURTIS: Mr. Speaker, I think this isn't quite understood by my two good friends, at least the way I understand it. It says a truck tractor. Now a truck tractor is what we call a regular truck which hauls a trailer. And I really don't think this applies at all to a farm tractor. A farm tractor, you wouldn't get them going fast enough to throw any dirt anyway. They won't go much more than eight or ten miles an hour. They do have some high speed now that make fifteen, but they don't do anything more than run from one farm to another. But if you will notice here it says truck tractor. Now a truck tractor is not an agricultural tractor, it is a tractor that hauls a trailer. So I think that should be brought out to the gentleman from Perham, Mr. Brag-

don and the gentleman from Bangor, Mr. Quinn. And I do think the truck tractor should have, as the gentleman from Bangor, Mr. Quinn, suggests, they should have splash guards.

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

The Chair recognizes the gentleman from Cape Elizabeth, Mr. Beyer.

Mr. BEYER: Mr. Speaker, as a member of the Transportation Committee I would like to clarify two points made by the gentleman from Bangor, Mr. Quinn. He said in regard to III that "truck tractors while not hauling a semi-trailer." I submit to him that a bar welded on the truck, when you came to putting the trailer back on the truck you would have to remove the bar, that was one point brought out at the hearing and I submit that that probably is the case. Perhaps the gentleman is an authority on truck construction, but that was submitted to us. And in regard to number two, it is common knowledge I believe, that dump trucks while working—and it only authorizes them not to have them while in the construction area, if you will read the wording closely. And when they are backing and dumping fill it will damage the fenders and make it practically impossible to maintain them. In regard to trucks under fourteen thousand pounds, we have no great magic about the number, except that it was our opinion that trucks under that automatically had the fenders and therefore that was a proper exemption too.

But this, as you know now, straight trucks as opposed to tractors and trailers are not required to have mud flaps, and we felt that this was a proper step in the right direction for highway safety and at the same time recognize the problems of the various segments of the industry involved.

The SPEAKER: The motion before the House is the motion of the gentleman from Lewiston, Mr. Jalberty, that House Amendment "D" to Bill "An Act relating to Splash Guards for Motor Trucks", House

Paper 1010, Legislative Document 1414, be indefinitely postponed.

Will those who favor the indefinite postponement of House Amendment "D" please say aye; those opposed, no.

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

The SPEAKER: Is it now the pleasure of the House to adopt House Amendment "D"?

The motion prevailed and the Bill, having had its three several readings and the Committee on Bills in the Third Reading having reported no further verbal amendments were necessary, was passed to be engrossed as amended by House Amendments "B" and "D" and sent up for concurrence.

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

Mr. TOTMAN: Mr. Speaker, I request under unanimous consent, out of order and under suspension of the rules that item seven now be taken up.

The SPEAKER: The gentleman from Bangor, Mr. Totman, requests unanimous consent that item number seven under tabled and today assigned matters, Bill "An Act relating to Educational Aid and Reorganization of School Administrative Units," Senate Paper 515, Legislative Document 1478, be taken up at this time. Is there objection? The Chair hears none and it is so ordered.

For what purpose does the gentleman arise?

Mr. FULLER: I move the adoption of House Amendment "B".

The SPEAKER: The pending question on item seven, Bill "An Act relating to Educational Aid and Reorganization of School Administrative Units", Senate Paper 515, Legislative Document 1478, is the adoption of House Amendment "B". The gentleman from South Portland, Mr. Fuller, moves that House Amendment "B" be adopted. Is this the pleasure of the House?

The motion prevailed and House Amendment "B" was adopted.

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

Mr. TARBOX: Mr. Speaker, I would like to offer House Amendment "A" and move its adoption.

The SPEAKER: The gentleman from Gouldsboro, Mr. Tarbox, offers House Amendment "A" and moves its adoption. The Clerk will read House Amendment "A."

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

HOUSE AMENDMENT "A" to S. P. 515, L. D. 1478, Bill, "An Act Relating to Educational Aid and Reorganization of School Administrative Units."

Amend said Bill by striking out in the 11th and 12th lines of that part designated "Sec. 237-E" the underlined words "and effective on September 1st", and inserting in place thereof the underlined words 'on December 1st, 1956'.

The SPEAKER: The motion before the House is the motion of the gentleman from Gouldsboro, Mr. Tarbox, that House Amendment "A", which the Clerk has just read, be adopted. Is this the pleasure of the House?

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I would like to take this opportunity on this particular amendment to make a suggestion on these various amendments that are obviously going to come up. It appears to me that many members of the House have personal convictions on amendments that are necessary to this major Bill. I think to expedite the solution and resolution of this Bill, it might be well for the House to seriously consider, and if possible accept the various amendments unless there is violent opposition to one, since it is obvious that both branches of this Legislature will have to act on this Bill eventually. Now, that is a suggested course of action, it does not mean that any member may not get up and obviously oppose any amendment they feel that neither the House nor the other branch wishes to buy.

The SPEAKER: The motion before the House is the motion of the gentleman from Gouldsboro, Mr. Tarbox, for the adoption of House Amendment "A". Is this the pleas-

ure of the House that House Amendment "A" should be adopted?

The motion prevailed and House Amendment "A" was adopted.

The SPEAKER: The Chair recognizes the gentlewoman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker and Members of the House: I have House Amendment "E", which I offer for your approval, and I would like to speak briefly to the amendment.

The SPEAKER: The gentlewoman from Rumford, Miss Cormier, offers House Amendment "E" and moves its adoption. The Clerk will read the amendment.

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

HOUSE AMENDMENT "E" to S. P. 515, L. D. 1478, Bill, "An Act Relating to Educational Aid and Reorganization of School Administrative Units."

Amend said Bill in that part of "Sec. 1" designated "Sec. 237-E" by adding the following paragraph and table by inserting them between the first and second paragraphs following table II in said "Sec. 237-E".

Since it is the intent of the Legislature — (1) to recognize that the support of education is a partnership between the state and the administrative unit such that each partner shall share on a percentage basis increase and decreases in the total operating cost of school programs in those administrative units which the School District Commission shall determine are necessary and efficient units (2) to establish the foundation program as a minimum measure of local effort for school support; and (3) to encourage administrative units to develop and support school programs which are above the minimum, the subsidy paid annually to any administrative unit, approved by the School District Commission as a necessary and efficient unit, in which the average net operating cost in any biennium exceeds the amount of the average net foundation program allowance, its state subsidy in the next two years will be increased by adding to that unit's preliminary allotment the amount found by applying to such excess the percentages in Table III below:

## TABLE III

If difference between net foundation program and net operating cost is

\$50,000 or under
Subsidy shall be increased by
10% of difference
Between \$50,001 and \$100,000
\$5,000 plus 5% of amount over \$50,000
Over \$100,000
\$7,500 plus 2-½% of amount over \$100,000

The SPEAKER: The Chair is advised that if any member wishes additional copies of this amendment that there are some available in the Clerk's office if you want them.

The Chair recognizes the gentleman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker and Members of the House: I signed the "Ought to pass" Report on this very important Sinclair Bill because I feel that there are many points in the Bill that are very valuable to education in the State of Maine. However, I reserved the right with my Committee to point out some of the fallacies which I feel exist in the Bill, and to try to correct those if possible. I feel that we as legislators have the duty and the responsibility to send out of this Legislature, regardless of what the Bill may be, the very best bills that we can possibly pass. And consequently, it is in that spirit that I am presenting two amendments this morning, one of which I have already submitted and which I would like to explain very briefly.

The foundation program as found in the Sinclair Bill really sets a level at which point the State will participate in dollars and cents to the amount spent by the towns. This foundation program explicitly states that the town must spend a certain amount of dollars for the education of its youngsters, that there must be a certain pupil-teacher ratio. Those are really the important things in the foundation program. If a town is below the foundation program then the State will participate in a certain amount of money depending on what classification that town falls into in this Bill.

I believe that not only should the State participate in the poor type

programs of education but that they should also participate in the good programs in education in this State. Because the people of my town have seen fit to tax themselves very heavily in order to promote good education for the youngsters of Rumford, I don't believe that they should be penalized, I think that the State should participate in that program over and above the foundation program as well as the towns below.

Also, I feel that not only is this for Rumford, this amendment, but you must remember that the figures in this Bill are based upon the expenditures for the fiscal year of 1955. In other words, the fiscal year of 1956 and of course of '57 are not considered, have not been used in this Bill. Consequently, it is estimated that within the next two years ninety per cent of the towns in this State will have reached the foundation program. And consequently, even though your town is gaining now, you may find yourself in the same predicament that I find myself at this time that the Bill is being considered.

The Bill is supposed to help small communities, yet many of the large cities in this State who are just as able to do a good job in education as my town of Rumford, are being subsidized much more than they were under the old Bill. Other small communities that have been struggling are losing money under this new proposal unless within the next few years they spend sufficient funds to bring themselves up to the foundation program. And it is for this reason that I am proposing this amendment. It would in fact help the towns and the cities that are above the foundation program. It says that for those who are \$50,000 or under 10 per cent of the difference would be paid by the State. For those between \$50,000 and \$100,000, 5 per cent would be paid by the State. And for those over \$100,000, 2½ per cent would be paid. The estimate of this amendment is \$117,000. But I am still convinced of the principle that when the final bill, the omnibus bill, the appropriation bill comes into this House, if it is proven that we do not have those funds, I will be willing to compromise to the extent of cutting every one of these figures in half which would mean that the appropriation

would be \$59,000 roughly rather than \$117,000. I do this because I would like to see this Legislature establish the principle even though the appropriation would be minor to my town if it were cut back, nevertheless this Legislature would be establishing the principle that good education in our towns and cities, that the State would participate in those programs as well as in the poorer programs.

I believe that the education of our boys and girls should have top priority, and I believe that any investment that this Legislature makes will pay greater dividends than any other dollar that we spend anywhere else. And it is with that philosophy that I present this amendment, and I hope that you will go along with me.

The SPEAKER: The motion before the House is the motion of the gentlewoman from Rumford, Miss Cormier, that the House adopt House Amendment "E".

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

Mr. MAYNARD: Mr. Speaker and Members of the House: I should like to support the amendment of the gentlewoman from Rumford, Miss Cormier, as I too feel the same way. I feel that if this amendment is not passed that this Bill will tend to become a ceiling rather than a floor, a foundation for a structure of good schools, so I support this amendment. Thank you.

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

Mr. FULLER: Mr. Speaker, I also would like to support the amendment that the gentlewoman from Rumford, Miss Cormier, has presented provided that we can find the money, and Miss Cormier has very graciously stated that if the money cannot be found she will cut the appropriation in half. I was trying to get the floor not to oppose Miss Cormier, but I thought maybe the amendment should be brought up in order so that we wouldn't get too confused.

The SPEAKER: The motion before the House is the motion of the gentlewoman from Rumford, Miss Cormier, that House Amendment "E" be adopted. Is the House ready for the question?

Will those who favor the adoption of House Amendment "E" please say aye; those opposed, no.

A viva voce vote being taken House Amendment "E" was adopted.

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

Mr. FULLER: Mr. Speaker, I present House Amendment "C" and move its adoption.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, presents House Amendment "C" and moves its adoption.

The Clerk will read House Amendment "C".

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

HOUSE AMENDMENT "C" to S. P. 515, L. D. 1478, Bill, "An Act Relating to Educational Aid and Reorganization of School Administrative Units."

Amend said Bill in that part designated "Sec. 111-E" of Section 1-B by striking out all of the last underlined sentence and inserting in place thereof the following underlined sentence: 'If this minimum size district cannot be attained without transporting high school pupils an unreasonable distance, generally considered to be over 20 miles, or if other local conditions justify a decision to the effect that a smaller district would be for the best educational interest of the pupils involved, smaller districts may be approved by the Commission.'

Further amend said Bill in that part designated "Sec. 237-D" of section 1 by adding at the end the following underlined paragraph:

'It is the intent of the Legislature that Table I of this section should be revised each biennium to reflect changes in the educational expenditures of towns. On or before October 1st of each year prior to the convening of the Legislature, it shall be the duty of the Commissioner of Education to make recommendations to the Governor for such revision which may be used as the basis for budget needs and recommendation for state school subsidies for appropriation by the subsequent session of the Legislature.'

Further amend said Bill in that part designated "Sec. 111-F" of section 1-B by striking out all of the

first 2 paragraphs and inserting in place thereof the following: 'The inhabitants of and the territory within 2 or more municipalities may form a school administrative district which shall be a body politic and corporate, if previously approved by the School District Commission, by proceeding as follows: The School Committees and selectmen of the interested municipalities may meet for the purpose of determining a fair and equitable number of school directors to be elected by and to represent each participating municipality. When a decision on this representation can be reached by a 2/3 majority vote of those present, the municipal officers in each of the several municipalities may call a meeting of the inhabitants of their respective municipalities in the manner provided by law for the calling of town meetings, and such meetings shall vote to favor or oppose similar articles in the following form:

**Article :** To see if the municipality will vote to join with the municipalities of (naming them) to form a school administrative district.

**Article :** To see if the municipality will vote to approve the allocation of representation among the municipalities on the Board of School Directors as recommended by the school committees and boards of selectmen and listed as follows.'

Further amend said Bill by striking out all of that part designated "Sec. 111-H" of section 1-B and inserting in place thereof the following underlined section:

'Sec. 111-H. School directors. All the affairs of said district shall be managed by a Board of School Directors which shall consist of not less than 5 nor more than 12 members, the exact number to be determined by the municipal officers as provided for in section 111-F. Representation on the Board of School Directors shall be in accordance with the vote in the second Article of section 111-F if approved by each participating municipality.

If at any time after a school administrative district has been formed, conditions appear to warrant a change in the number of school directors, petitions may be

filed with the School District Commission or State Department of Education requesting such changes and the Commission or Department is authorized to make such changes when in their judgment the petitions represent the wishes of a majority of the voters and the proposed change will improve the conduct of the affairs of the administrative district.'

Further amend said Bill in that part designated "Sec. 111-I" of section 1-B by striking out all of the 1st underlined sentence and inserting in place thereof the following underlined sentence: 'When a school administrative district has been formed, elections shall be called within 60 days by the selectmen or city government in the several municipalities for the purpose of selecting the approved number of school directors from each municipality by the legal voters of that municipality.'

Further amend said Bill by striking out all of section 5 of said Bill.

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

House Amendment "C" was adopted.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Thackeray.

Mr. THACKERAY: Mr. Speaker, I offer House Amendment "D" and moves its adoption.

The SPEAKER: The gentleman from Mexico, Mr. Thackeray, offers House Amendment "D" and moves its adoption. The Clerk will read House Amendment "D".

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

HOUSE AEMNDMENT "D" to S. P. 515, L. D. 1478, Bill, "An Act Relating to Educational Aid and Reorganization of School Administrative Units."

Amend said Bill in that part designated "Sec. 237-D" of Section 1 by striking out the underlined figure "300" in the last line and inserting in place thereof the underlined figure '200'.

Further amend said Bill in that part designated "Sec. 111-E" of section 1-B by striking out all of the 2nd underlined sentence.

House Amendment "D" was adopted.



The SPEAKER: The Chair recognizes the gentlewoman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, this sounds like Campbell Soup, I now offer House Amendment "F" and move its adoption.

The SPEAKER: The gentlewoman from Rumford, Miss Cormier, now offers House Amendment "F" and moves its adoption.

The Clerk will read House Amendment "F".

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

HOUSE AMENDMENT "F" to S. P. 515, L. D. 1478, Bill, "An Act Relating to Educational Aid and Reorganization of School Administrative Units."

Amend said Bill by striking out all of the amending clause of section 1-B and inserting in place thereof the following:

'Sec. 1-B. R. S., c. 41, §§ 111-A — 111-F, additional, Chapter 41 of the Revised Statutes is hereby amended by adding thereto 6 new sections to be numbered 111-A to 111-F, inclusive, to read as follows:'

Further amend said Bill by striking out all of those parts designated "Sec. 111-F" to "Sec. 111-P", inclusive, and inserting in place thereof the following:

'Sec. 111-F. School administrative districts. Two or more towns shall become a school administrative district when they have adopted a plan for a school program in accordance with the provisions of section 33 or with the provisions of sections 112 to 121, inclusive, and have secured approval of such plan from the School District Commission. Such approval shall be based on the criteria established in section 111-E.'

The SPEAKER: The Chair recognizes the gentlewoman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker and Members of the House: This amendment is rather a revolutionary one, but I think it is a sound and sensible one. What it would do really, if you have the Bill before you, it would eliminate all of Section 111-F, beginning on Page 8 and entitled Organization of School Administrative Districts, cut out all of 8, 9, 10, 11, 12, and Page 13 as far as Section VIII. Now, that is the section that sets up the administrative

districts. This amendment which I am offering says in fact that any group of towns who would like to consolidate, and after all the crux of this Bill is consolidation, and it is a theory that I definitely believe in, I think it is for the good of the State of Maine, now it says that if a group of towns wish to consolidate, that by mutual agreement they can decide how they want to consolidate, how they want to finance their school, and how they wish to govern their district, with the approval of the commission which will be set up under this Bill.

Now, I am a very strong believer in home rule, and I feel that if any group of towns wish to consolidate, that they should have the right to determine themselves how they should finance their school and how they should govern it, and it would be under the approval, subject to the approval of this commission. If the commission feels that what they have come up with is not feasible it would simply say to the towns "Go back and try again." It would leave the control of these districts within the towns involved. After all if five or six of us wanted to form a corporation to expand our business, it would be up to us to decide how we wish to do it, how we were going to finance it and how we were going to govern it. And I think that that authority still should rest within the hands of the towns involved. I see no fallacy in saying that by mutual agreement the towns should have this right.

The SPEAKER: The motion before the House is the motion of the gentlewoman from Rumford, Miss Cormier, that the House adopt House Amendment "F".

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

Mr. CURTIS: Mr. Speaker, in going over this Sinclair Bill with the folks down in my area, I find that this amendment offered by the gentlewoman from Rumford, Miss Cormier, is the very thing that would satisfy them. In fact, I feel that if we adopt this amendment and it was submitted to the people, that at least ninety per cent of the people in the rural area would vote for the Sinclair Bill. I think it is a fine thing and it clarifies this

thing and makes it worth while, and I trust that it is adopted.

The SPEAKER: The Chair recognizes the gentlewoman from Rumford, Miss Cormier.

Miss CORMIER: I would just like to say this which I neglected to say. That this is exactly how the law now reads today under the School Union Law and under the School District Law. Therefore, we would merely be using the law as it exists today, as the vehicle for consolidation.

The SPEAKER: The question before the House is the motion of the gentlewoman from Rumford, Miss Cormier, that the House adopt House Amendment "F". Is the House ready for the question?

Will all those who favor the adoption of House Amendment "F" please say aye; those opposed, no.

A viva voce vote being taken the motion prevailed and House Amendment "F" was adopted.

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

Mr. ELWELL: Mr. Speaker and Members of the House: I now present House Amendment "G" and move its adoption.

The SPEAKER: The gentleman from Brooks, Mr. Elwell, now offers House Amendment "G" and moves its adoption.

The Clerk will read House Amendment "G".

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

HOUSE AMENDMENT "G" to S. P. 515, L. D. 1478, Bill, "An Act Relating to Educational Aid and Reorganization of School Administrative Units."

Amend said Bill in that part designated "Sec. 111-D" of section 1-B by adding at the end of subsection VI, a new paragraph, as follows:

**'Whenever a majority vote in each of the municipalities involved is not obtained but a majority of the municipalities involved has approved the establishment of a school administrative district, the Commission is empowered to authorize the creation of the district to be composed of those municipalities in which a majority vote has been obtained.'**

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

Mr. ELWELL: Mr. Speaker and Members of the House: I would like to say that this amendment has the approval of the sponsor of the Bill as well as the Chairman of the Joint Committee on Education. It does not project any new principle into the Bill, but merely spells out the Bill's intent to the commission, thereby preventing the possibility of a stalemate which might develop in any community of towns and thereby prevent the very consolidation that we are trying to accomplish.

I might point out that it has been my experience in my own community to be chairman of a steering committee which is trying to promote consolidation, has been trying to promote it for two years. We have ten towns involved, and if one or two of the towns were to vote against this when it was presented to them at a town meeting it would prevent the whole administrative district from going ahead, and they would have to go back, regroup and start in over again. It might run into a lengthy affair, and I think if the commission were allowed, or rather given a mandate to go ahead in such an instance where a majority of the towns were to vote for this proposal, always leaving the door open for the other towns to come in later, that it would expedite the consolidation. Thank you.

The SPEAKER: The motion before the House is the motion of the gentleman from Brooks, Mr. Elwell, that the House adopt House Amendment "G".

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

Mr. FULLER: Mr. Speaker, all of the amendments thus far have been amendments that we have had over the week end, we have had a chance to study them and we have had a chance to discuss them with our constituents, and I think every member of the Education Committee knew about them and approved them for the most part. Now, these new amendments we don't know anything about, and I think that we can amend this to death. We have worked very hard to try and make

this Bill better. Some of these other amendments may be good, but we just don't know. And I think that any amendments that anyone wishes to put on the Bill from now on they should do it two years from now and not now. It was sort of understood that when the Bill was tabled that it would give us a chance, and I believe that you, Mr. Speaker, mentioned that anyone that had amendments should have them reproduced so that the members would have them over the week end and take them home and discuss them with their constituents. Therefore, Mr. Speaker, I move for the indefinite postponement of House Amendment "G".

The SPEAKER: The motion before the House is the motion of the gentleman from South Portland, Mr. Fuller, for the indefinite postponement of House Amendment "G".

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

Mr. PLANTE: Mr. Speaker, if I stand to be corrected by Mr. Fuller, I would appreciate it if he would, it was my understanding that this was committed the 26th of April along with the others, that is House Amendment "G". And do I interpret your comments to mean all those after House Amendment "G" or do they include House Amendment "G"?

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante, has addressed a question through the Chair to the gentleman from South Portland, Mr. Fuller, who may answer if he chooses.

Mr. FULLER: Mr. Speaker, I don't think I got the question of the gentleman.

The SPEAKER: Would the gentleman from Old Orchard Beach repeat his question.

Mr. PLANTE: Did your statement refer to this particular amendment, House Amendment "G", or did it refer to all those following House Amendment "G"? It was my understanding that this was submitted April 26 along with some of the others.

Mr. FULLER: Mr. Speaker, if this was presented April 26, this is the first time that I have seen it, just about five minutes ago, I don't

know about the other members of the Education Committee.

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

Mr. ELWELL: Mr. Speaker and Members of the House: I would like to say that this amendment was on your desks on Friday afternoon. I did intend to speak relative to the amendment at that time only to remind you that it was there. The House adjourned I thought a little prematurely, and I didn't get a chance to remind the members of the particular amendment.

The SPEAKER: The motion before the House is the motion of the gentleman from South Portland, Mr. Fuller, that House Amendment "G" be indefinitely postponed.

The Chair recognizes the gentleman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, I dislike very much to disagree with my good friend, the gentleman from South Portland, Mr. Fuller, but I think it is quite possible that some of these legislators, going home this week end and talking it over with their constituents, might come in with an amendment this morning, and I would hate to see any amendment barred. I think that all amendments should be presented here and discussed, and I think that after it leaves here and goes to the other body it leaves us ample time to discuss and look over these amendments. I don't think anyone should be barred from presenting any amendment regardless of when it was on our desks.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Fryeburg, Mr. LaCasce.

Mr. LACASCE: Mr. Speaker and Ladies and Gentlemen of the House: It seems to me that the amendment of the gentleman from Brooks, Mr. Elwell, simply spells out something that we expected to be done by the commission. He has spelled it out and I think it is worthwhile. I don't think that we should indefinitely postpone it.

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

Mr. FULLER: Mr. Speaker, now that I know that this was on my

desk last Friday, I didn't realize that it was, I didn't see it, but if it was and I am sure that it was, I will withdraw my motion.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, withdraws his motion for indefinite postponement of House Amendment "G".

The question now before the House is the motion of the gentleman from Brooks, Mr. Elwell, that the House adopt House Amendment "G".

Will all those who favor the adoption of House Amendment "G" please say aye; those opposed, no.

A viva voce vote being taken the motion prevailed and House Amendment "G" was adopted.

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

Mr. FARMER: Mr. Speaker, I had an amendment to offer here, but as House Amendment "F" has eliminated the sections that I was going to amend, I wonder if it would still be in order to offer my amendment in the event that something happens to House Amendment "F" before this Bill is through?

The SPEAKER: The Chair is advised that if the gentleman's amendment amends a section which has been struck out of the Bill by another amendment, the gentleman's amendment is not in order at this time.

The Chair recognizes the gentleman from Cumberland, Mr. Call.

Mr. CALL: Mr. Speaker, where does the Bill now stand? Has it had its first and second or fourth and fifth readings?

The SPEAKER: The Chair would advise the gentleman from Cumberland that the Bill has had its three readings and is at the stage just prior to engrossment.

The Chair recognizes the same gentleman. Would the gentleman use the other microphone, the Chair is advised that that one is not working.

Mr. CALL: Mr. Speaker and Members of the House: You all remember, this Bill came in from the other branch without any consideration, without any debate, it was put over here for the sole purpose for us to iron the bugs out of it.

Recently I said that my constituents at home, my superintendent of schools is highly in favor of the Bill. Now it appears that the Bill has got most of the bugs ironed out of it by these amendments. You gentlemen who have further amendments that you would like to add to it, or reconsider some of the amendments or correct them, I now move that it be sent to that illustrious body on the other end of the building where they can iron out some bugs and then send it back to us.

The SPEAKER: The Chair is advised that the motion as stated by the gentleman from Cumberland, Mr. Call, is not in order at this time.

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

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

The SPEAKER: The gentleman from York, Mr. Hancock, offers House Amendment "I" and moves its adoption.

The Clerk will read the amendment.

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

HOUSE AMENDMENT "I" to S. P. 515, L. D. 1478, Bill, "An Act Relating to Educational Aid and Reorganization of School Administrative Units."

Amend said Bill in that part of section 1 designated "Sec. 237-H" by striking out the last sentence and inserting in place thereof the following underlined sentence:

'Said apportionment shall apply similarly to payments made on contracts awarded subsequent to the effective date of this act in single municipality administrative units approved by the Commissioner.'

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

Mr. HANCOCK: Mr. Speaker and Ladies and Gentlemen of the House: I would first like to say that I second the remarks of the gentleman from Rumford, Miss Cormier, wholeheartedly. And I wholeheartedly endorse her amendments.

Now, I have a letter on my desk from my school board to oppose the Bill. I don't want to do that. I agree with the basic principles of the Bill, but I do think that some towns who are not too affected by

this particular Bill should be given some consideration.

This particular amendment, you will notice under Section 237-H, that particular section calls for school construction aid for those towns who do form a district, and also for those towns with 700 pupils in their high school. Now, it seems to me we are discriminating, at least against those intermediate sized towns who have no desire to form a particular district, who are above the minimum of this foundation program, and it would be only fair that they receive aid for construction as well as a large high school. I don't quite get the point of the 700 pupils but it is in the Bill.

My particular school has built a new high school in the past five years, they have built a new elementary school in one part of town, and we know that we are going to have to build or add to an elementary school in another part of town. And this simply states a single municipality administrative unit, if approved by the commissioner, could receive such construction aid. It simply, at least in my mind, is in all fairness to those particular towns who do not have to join other towns in an administrative district and are not large enough to meet the requirements under this particular system. I move its adoption.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I would simply like to confirm what I feel that any member of the House who has an amendment, you have the right to present it this morning, that this Bill should go to the other branch to indicate what the feeling in this House is. I regret that the Chairman, the House Chairman on Education feels that we have had enough amendments. I think it will help the Bill to have all these amendments brought out in the open, and therefore I hope that the amendment does pass, and I believe this is the last one I have seen on my desk, I hope then the Bill will receive its final third reading.

The SPEAKER: The motion before the House is the motion of the gentleman from York, Mr. Hancock,

that the House adopt House Amendment "I".

Will all those who favor the adoption of House Amendment "I" please say aye; those opposed, no.

A viva voce vote being taken the motion prevailed and House Amendment "I" was adopted.

The SPEAKER: Are there further amendments to be offered?

The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, I haven't any amendment at this time, but the amendment of the gentlewoman from Rumford, Miss Cormier, has brought up a question to my mind about quite a sum of money. And I had been thinking of putting in an amendment, but I thought that someone else would do it. And I would like to suggest to Miss Cormier, that she can get \$60,000 right out of those first two pages by doing away with this commission they are setting up, and letting the State Board of Education and the Department of Education run this thing.

The SPEAKER: Is there any further discussion on the Bill?

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

Mr. CHILDS: Mr. Speaker, rather than reconsider an amendment which has already been adopted, I would request unanimous consent to ask a question through the Chair of the gentleman from Brooks, Mr. Elwell, in regard to House Amendment "G".

The SPEAKER: The gentleman may proceed.

Mr. CHILDS: I would just like to know what the thinking is on House Amendment "G", which states that if a majority vote in a municipality is not obtained then the majority of the municipalities involved has approved the establishment, the Commission is empowered to authorize the creation of a district.

Now, what would happen to a municipality where a majority vote is not obtained, would they also be in the district?

The SPEAKER: The gentleman from Portland, Mr. Childs, has addressed a question through the Chair to the gentleman from Brooks, Mr. Elwell, who may answer if he so chooses.

Mr. ELWELL: Mr. Speaker and Members of the House: The answer to the question is definitely no. And further if I might point out for clarification, that the purpose of the amendment was that these towns who did not wish to join would not prevent the other towns from forming a district. It merely would be a technical barrier that would be set up.

The SPEAKER: Is there further discussion at this time?

The Chair recognizes the gentleman from Chelsea, Mr. Allen.

Mr. ALLEN: Mr. Speaker, since this Bill has been amended so much, I am wondering if it would be possible to have the Bill reprinted as amended before it is passed to be enacted?

The SPEAKER: The Chair is advised that the House may order reprints of the Bill by House order.

But it is also suggested to the Chair that it might be better to wait until the Senate has taken whatever action it plans to take on the Bill as submitted to it by the House.

Is there further discussion at the time?

Thereupon, the Bill, having had its three several readings and the Committee on Bills in the Third Reading having reported no further verbal amendments necessary, was passed to be engrossed as amended by Senate Amendment "A" and House Amendments "A", "B", "C", "D", "E", "F", "G" and "I" in non-concurrence and sent up for concurrence.

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On motion of Mr. Totman of Bangor,

Adjourned until nine-thirty o'clock tomorrow morning.