

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Eighth Legislature

OF THE

STATE OF MAINE

VOLUME II

1957

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, May 15, 1957

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

Prayer by the Rev. Mr. Ronald Mosley of the Congregational Church of Bar Harbor.

The journal of the previous session was read and approved.

Papers from the Senate Senate Reports of Committees Ought Not to Pass

Report of the Committee on Highways reporting "Ought not to pass" on Bill "An Act relating to Reimbursement to Towns for Snow Removal" (S. P. 234) (L. D. 634)

Came from the Senate read and accepted.

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

Ought to Pass in New Draft

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1958 and June 30, 1959" (S. P. 63) (L. D. 120) reporting same in a new draft (S. P. 541) (L. D. 1520) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed.

In the House: The Report was read.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: We have on our calendar this morning, under this item two and the next item three, two of the major bills of the session regarding financing, one in consideration of the General Fund, the balanced budget so-called, the next item is the Highway allocation bill.

I would like to suggest at this time, in order to expedite matters, that we give this item and the following one their first two readings, and if you are so inclined to do so without the date, with the knowledge that these two items will be back

on our calendar tomorrow for their third reading at which time both debate and amendments if desired will be in order. And, Mr. Speaker, I therefore move at this time that we accept the "Ought to pass" Report.

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

Mr. WALSH: Mr. Speaker and Ladies and Gentlemen of the House: I just want to heartily concur with the words of the gentleman from Bangor, Mr. Totman, and sincerely hope that you will allow these bills to have their first two readings as they will be back tomorrow.

The SPEAKER: The question before the House is the motion of the gentleman from Bangor, Mr. Totman, that the House accept the "Ought to pass" in New Draft Report in concurrence. Is this the pleasure of the House?

The motion prevailed and the Bill was given its first two readings and tomorrow assigned.

Report of the Committee on Highways on Bill "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1958 and June 30, 1959" (S. P. 68) (L. D. 114) reporting same in a new draft (S. P. 533) (L. D. 1503) under same title and that it "Ought to pass"

Report of the Committee on Judiciary on Bill "An Act relating to Speed Regulations for Motor Vehicles" (S. P. 59) (L. D. 89) reporting same in a new draft (S. P. 573) (L. D. 1576) under same title and that it "Ought to pass"

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

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

Non-Concurrent Matter

Majority Report of the Committee on Sea and Shore Fisheries reporting "Ought to pass" on Bill "An Act Regulating Size of Mesh Used in Otter Trawls in Waters of Hancock County" (H. P. 515) (L. D. 725) and Minority Report reporting "Ought not to pass" which Reports

and Bill were indefinitely postponed in the House on May 1.

Came from the Senate with the Majority Report accepted and the Bill passed to be engrossed in non-concurrence.

In the House: On motion of Mr. Graves of Northeast Harbor, the House voted to adhere.

From the Senate: The following Communication:

STATE OF MAINE
SENATE CHAMBER
Augusta

May 14, 1957

Honorable Harvey R. Pease
Clerk of the House of
Representatives
Ninety-eighth Legislature
Sir:

The Senate today voted to insist on its former action on Bill "An Act relating to the Taking of Quahogs" (H. P. 14) (L. D. 13) and to join a Committee of Conference. The President appointed the following members as Conferees on the part of the Senate:

Senators:

BAILEY of Sagadahoc
FOURNIER of York
WYMAN of Washington

The Senate also voted to insist on its former action on Bill "An Act relating to Apprentice Lobster Fishing Licenses" (S. P. 137) (L. D. 274) and to join a Committee of Conference. The President appointed the following Conferees on the part of the Senate:

Senators:

PIKE of Oxford
COLE of Waldo
HURLEY of Kennebec

Respectfully,

(Signed)

WALDO H. CLARK
Assistant Secretary
of Senate

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

**House Reports of Committees
Ought Not to Pass
Tabled and Assigned**

Mr. Broderick from the Committee on Judiciary reported "Ought

not to pass" on Bill "An Act relating to Municipal Court and Trial Justice Court Costs and Fines" (H. P. 1000) (L. D. 1428)

Report was read.

(On motion of Mr. Ross of Bath, tabled pending acceptance of Report and specially assigned for Friday, May 17.)

Mr. Hancock from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Evidence of Intoxication and Chemical Tests for Alcoholic Content of Blood of Motor Vehicle Drivers" (H. P. 507) (L. D. 717) which was recommitted.

Report was read and accepted and sent up for concurrence.

**Divided Report
Tabled and Assigned**

Majority Report of the Committee on Labor reporting "Ought to pass" on Bill "An Act relating to Benefit Eligibility and Definition of Unemployment Security Law" (H. P. 780) (L. D. 1113)

Report was signed by the following members:

Messrs. HILLMAN of Penobscot
CURTIS of Cumberland
— of the Senate.

Messrs. ROSS of Bath
EMMONS of Kennebunk
HANSOMB
— of South Portland
WINCHENPAW
— of Friendship
— of the House.

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

Report was signed by the following members:

Mr. ST. PIERRE
— of Androscoggin
— of the Senate.

Messrs. LETOURNEAU of Sanford
KARKOS of Lisbon
SMITH of Portland
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from New Sharon, Mr. Caswell.

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

The SPEAKER: The gentleman from New Sharon, Mr. Caswell, moves that the House accept the Majority "Ought to pass" Report. The Chair recognizes the gentleman from Sanford, Mr. Letourneau.

Mr. LETOURNEAU: Mr. Speaker, for the purpose of getting more information, I would like to lay this on the table until tomorrow, specially assigned for tomorrow.

The SPEAKER: The question before the House is the motion of the gentleman from Sanford, Mr. Letourneau, that with respect to Bill "An Act relating to Benefit Eligibility and Definition of Unemployment under Employment Security Law", both Reports be tabled and specially assigned for tomorrow pending the motion of the gentleman from New Sharon, Mr. Caswell, that the House accept the "Ought to pass" Report. Is this the pleasure of the House?

The motion prevailed and the Reports were so tabled.

Passed to Be Engrossed

Bill "An Act relating to Services of State Police on Maine Turnpike" (H. P. 106) (L. D. 144)

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

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

Mr. MILLER: Mr. Speaker, I move the indefinite postponement of this bill.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Miller, that with respect to Bill "An Act relating to Services of State Police on Maine Turnpike", this bill and all accompanying papers be indefinitely postponed.

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

Mr. CROCKETT: Mr. Speaker and Members of the House: This bill that was put before you yesterday, I used no gimmick, I told you the truth, and I hope that the motion of the gentleman from Portland, Mr. Miller, does not prevail.

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

Mr. TURNER: Mr. Speaker, it seems to me that it is going to be

an awful job for the State Police to—the Department to keep a record on those fellows. Part of the time they will be on the turnpike and part of the time they are somewhere else, and the Turnpike Authority has no control over them whatsoever, and I think I would go along with the indefinite postponement.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: In disagreeing once again with my good friend the gentleman from Auburn, Mr. Turner, it seems to me that there are twenty of the State Police assigned for duty on that Maine Turnpike. In case of emergency or anything of that nature, naturally a policeman will have to go where the duty calls him temporarily, but he is definitely assigned to that turnpike. It has been assured there will be no additional put on there beyond the twenty, and there will be no decrease whether we accept or reject this, but I must state that there is a question arising whereby we have been asked to supply them with additional police throughout the State, and this is an additional cost to the taxpayers of the State whereby this money is derived from that, and still we know somebody has to pay for it and it is coming from where the expenditure may be, and I think the true picture stands there on this bill presented by the gentleman from Freeport, Mr. Crockett, and I certainly hope that we give consideration to the fact that if additional police are put on an additional burden is put on the taxpayers in general throughout the State and not the users of that service, and I certainly hope that this motion does not prevail of the gentleman from Portland, Mr. Miller.

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

Mr. MILLER: Mr. Speaker, I request a division on it please.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Miller, that the House indefinitely postpone Bill "An Act relating to Services of State Police on Maine Turn-

pike", and a division has been requested.

Will those who favor the motion to indefinitely postpone this bill, please rise and remain standing until the monitors have made and returned the count.

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

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

Resolve Authorizing Franklin T. Kurt of Huntington, New York to Sue the State of Maine (S. P. 242) (L. D. 643)

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

Amended Bills

Bill "An Act relating to Tenure of Office of Members of Highway Commission" (S. P. 540) (L. D. 1519)

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 to Grant a Council-Manager Charter to the City of Augusta" (H. P. 425) (L. D. 632)

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

Mr. Beane of Augusta offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 425, L. D. 632, Bill, "An Act to Grant a Council-Manager Charter to the City of Augusta."

Amend said Bill by striking out of "Sec. 1" of Article VI all of subparagraph (a) and inserting in place thereof the following:

- '(a) The following officers and boards, except as herein otherwise provided, shall be appointed by the city council.
- 1. City Manager.
- 2. Wardens and Ward Clerks.'

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

Resolve Authorizing the State Highway Commission to Make a Study of the Public Ways of the State (S. P. 545) (L. D. 1531)

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

Third Reader Indefinitely Postponed

Bill "An Act to Provide Additional Revenue by Severance Taxes on Severer of Timber or Producer of Timber Products" (H. P. 975) (L. D. 1377)

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

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

Mr. ROWE: Mr. Speaker, in regard to item six, L. D. 1377, I would like to move indefinite postponement of this bill and accompanying papers and I would like to speak briefly to the motion.

The SPEAKER: The gentleman may proceed.

Mr. ROWE: Mr. Speaker and Members of the House: I know that with regard to this particular kind of tax from the moment of its inception and introduction for your consideration that I have stood very much alone except for a very few, and so be it. And as I told the Committee on Taxation, that I am very much aware of something I think very profound as said by a contemporary French philosopher, he said this: "Nothing great is ever accomplished in history unless for one man who sees or recognizes the truth and then is prepared or whoever cares to go along with him, is prepared to lay down his life for what he sees is true and good."

In regard to this particular tax, those have been my feelings, I feel very much like the—fraternally or I should say paternally about this particular bill. This has been my

thinking before I hammered out, thought out, drafted this bill here for your consideration to be enacted into law. I know that all of us are concerned with buying worthwhile services for our state. At the same time in order to buy worthwhile services or even to discuss the idea of worthwhile services, I think that honestly in the back of anyone's mind has to be a source of revenue. I have been concerned with worthwhile services for the State of Maine and I have tried to be as constructive as I possibly could be, and therefore, I knew when I filed my two service bills that I also had to file a tax bill too. Of course I feel very sad at this moment, I think I had better terminate my discussion.

The SPEAKER: The question before the House is the motion of the gentleman from Madawaska, Mr. Rowe, that Bill "An Act to Provide Additional Revenue by Severance Taxes on Severer of Timber or Producer of Timber Products" and all accompanying papers be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed, the Bill was indefinitely postponed and sent up for concurrence.

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

Indefinitely Postponed

Bill "An Act to Create a Board of Pilot Commissioners for Penobscot Bay" (H. P. 1059) (L. D. 1514)

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

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

Mr. ALLEN: Mr. Speaker and Members of the House: Yesterday when this bill was argued before this House I became alarmed. Since that time I have looked into it a little further and I feel that it is a bad bill and should not pass. There are several reasons for me thinking so. I checked a little further as to what this bill — or who this bill might affect. It affects principally the port of Searsport.

Now we have a port there, in doing export and import business and shipping, is reluctant to come into there for partial loads and are also reluctant to come in there anyway because it is a little bit off the beaten path, it is pretty much impossible for them to discharge a load and pick up a load at the same port. Most of it is one way shipping, and it wouldn't take very much to drive the ships right out of that port entirely. Now as I understand it the Bangor and Aroostook Railroad owns the docks there and at times I haven't agreed with the Bangor and Aroostook Railroad or any other large companies, but here is a case of saving a little for the State of Maine. There is some shipping there now, and it is beneficial to the industry of the State of Maine, and I think that this industry should be helped all it could. Furthermore, I believe that the bill is unnecessary. The only possible reason that we could have for such a measure would be as a safety measure. I haven't heard of any accidents of any ships colliding or going aground or anything of that sort in that area. Therefore, I don't believe it is a safety measure. I furthermore feel that it is class legislation, it is to protect probably the jobs or create jobs for a very few people, and ships coming in with competent pilots on board and the Captain of that ship still being in complete charge of the ship and responsible for everything on it, even though he takes in a pilot from that area, I think that that Captain being responsible if there is any danger or any safety that should be looked after, that Captain will do it. Therefore, I move indefinite postponement of this bill and accompanying papers.

The SPEAKER: The Chair recognizes the gentleman from Belfast, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker and Members of the House: I am kind of surprised from the source from which it came, a man that is interested in building highways. I didn't know that they went to sea. But apparently he is going to change his occupation. Afraid of losing business—since the port of Portland has been compulsory pilotage they have

steadily grown in business to about three times the tonnage before and it is still on the increase. Why should a ship want to go to Portland when the pilotage is nearly double the Penobscot Bay charges, and then ship by train to northern Maine? Boston is near double again. Do you realize that this fee for pilotage would amount to not more than one half to one and a half cents per ton on most any ship of over nine foot draft. Insignificant. Surely not significant enough to deter business from our area. The thing is the sponsor certainly would not wish to take business out of the area. We all want the port to grow, and the area to grow. Just remember it is the ships of foreign registry which are escaping the fee. All our American lines use pilots. Either their skippers hold such a license or they take one on. We have now for weeks stood here at attention on the opening session to salute Old Glory which stands unfurled on the rostrum. Just remember that grand flag and what it has always stood for on the high seas, when you think of voting against this bill to subsidize foreign ships to help drive our ships flying the star spangled banner from the sea. I hope the motion does not prevail.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I want to get the thing clear to begin with that I am not a deep-sea man, but I do come from Aroostook County and we have looked upon the port of Searsport as one of our outlets to the outside markets, and I feel that I agree wholeheartedly with the position taken by the gentleman from Chelsea, Mr. Allen. I have heard of no reason for this further restriction on shipping in Searsport, and I hope the motion of the gentleman from Chelsea, Mr. Allen, will prevail.

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

Mr. ROWE: Mr. Speaker and Members of the House: If I can't work for my own personal worthwhile legislation, I can work for worthwhile legislation of others. I

will have to disagree with my good friend the gentleman from Chelsea, Mr. Allen. I think that this much should be brought to light, that if the prosperity of the ports of Searsport and others depends upon this area being an open port, I would say that the same thing then applies to any other port in Maine, and that we should open up all ports and have them, so to speak, it seems to me a kind of pirate kind of shipping or shipping into a port, and I hope that the motion to indefinitely postpone does not prevail.

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

Mr. BRAGDON: Mr. Speaker, perhaps this is not wise and I hate to inject these things into it. I did want to say here that I recognized the shades of Dave Beck and the Teamsters Union.

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

Mr. ALLEN: Mr. Speaker and Members of the House: I think I should say a word in rebuttal. I'll admit that I am a road man and earn my living at highway work, but that don't mean that I always did that. I have been to sea too, and I am interested in that. In addition to that I also hold a valid aircraft pilot's certificate, and I wonder how long it is going to be before someone is going to tell me that I can't land my plane in a certain airport because somebody at that airport is unemployed and they need to hire those pilots to taxi their plane in or something. I think that this sort of a thing of controls is going just a little bit too far and it could go so far to say that a truck driver couldn't bring a truck into a certain city because there are truck drivers unemployed in that certain city, therefore he has got to park his truck three miles outside and telephone in for a local truck driver to come and get the business. I think this is exactly what this thing is doing.

The SPEAKER: The Chair recognizes the gentleman from Belfast, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, it is kind of amusing to me the re-

marks of my good friend the gentleman from Chelsea, Mr. Allen. I think he is a little farfetched, bringing in airplanes and trucks. I don't know of any place in the United States or Canada that that is in effect. It may be somewhere. Of course Maine is far behind in many things, but there isn't a port, a deep water port in the United States or Canada that doesn't have pilotage, and I can't see why we should hold this port back in the hundred year class of a hundred years ago; that is about what my friend the gentleman from Bucksport, Mr. Pierce, showed a big book here, he didn't read much out of it but it was pretty old literature I would say, and this State today is on the move to surge forward. Progress is what we are preaching. We are talking it every day and we are raising money to promote it. I think certainly we should progress with the rest of the country. I hope the motion does not prevail.

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

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: As to the remarks of the gentleman from Belfast, Mr. Rollins, yesterday, I wish the House to bear in mind the statement that he made: "They were very glad to get these pilots during the nasty weather, and I now move the previous question."

The SPEAKER: The gentleman from Cumberland, Mr. Call, has moved the previous question. In order for the Chair to entertain this motion the Chair must have the approval of one-third of the House. Will those who approve the motion for the previous question please rise and remain standing until the monitors have made and returned the count.

Obviously one-third having expressed their approval of the motion, the question now before the House is, shall the main question be put now. That motion is debatable with a time limit of five minutes on each speaker. Will those who favor the main question being put now please say aye, those opposed, no.

A viva voce vote being taken the motion prevailed.

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

Mr. ALLEN: Mr. Speaker, I request a division.

The SPEAKER: The question before the House is the motion of the gentleman from Chelsea, Mr. Allen, that Bill "An Act to Create a Board of Pilot Commissioners for the Penobscot Bay", House Paper 1059, Legislative Document 1514, and all accompanying papers be indefinitely postponed. A division has been requested. Will those who favor the indefinite postponement please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Seventy-two having voted in the affirmative and fifty-three having voted in the negative, the motion prevailed, the Bill with accompanying papers was 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 thirty-three seventh and eighth grade students from Boothbay Grammar School accompanied by Mr. Floyd Phinney their Principal, and by Mrs. Helen Gaw, Mrs. James Stevens and Mrs. Giles. On behalf of the House the Chair extends to you ladies and gentlemen a most hearty welcome and we hope you will enjoy and profit by your visit here today. (Applause)

Passed to Be Enacted Emergency Measure

An Act Amending the Rules of Descent (S. P. 551) (L. D. 1540)

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. 124 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Finally Passed Constitutional Amendment

Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of the Gov-

ernor to Four-Year Terms (H. P. 157) (L. D. 204)

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

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen: Lord Chesterfield once observed, "A politician you suggest should drive the nail that goes the best". My continued and determined support of this measure certainly proves that I am not a politician,—by no stretch of the imagination could you say that this poor old nail is going very easily. I have mentioned time and again that I do not consider myself a politician. I am just an average fellow interested in government and anything pertaining thereto. I can be outmaneuvered easily on any technical, political aspects, such as my inability to get a true roll call vote when this subject first came up. Coming so suddenly, my first thought was that this was not very good sportsmanship, but of course I soon realized that I was mistaken. A tactical retreat has won many an honorable victory. I hope such is not the case today, but in any event the whole procedure was educational for me and for this added knowledge I honestly want to thank my opponents.

May I repeat—this is not a Democratic measure. If it must be labeled as either, its history alone will show it to be Republican, but there are some of my opponents who claim that I am not a true Republican. If they mean that I am not a hidebound, ultra conservative person who is unwilling to favor progressive governmental changes for fear of upsetting political traditions, then they are right. Nevertheless, I find it difficult to believe that the majority of the people measure party loyalty because of a difference of opinion.

It has been said that this is not good government. I know that statistics don't mean much, but twenty-nine States have a four year gubernatorial term. I realize fully well and agree that just because others do something is no reason that we should follow. This only proves one point,—the majority of

our country does feel that it is good government.

When the Constitution of the United States was being drafted, Alexander Hamilton remarked relative to the consideration of a two year term for President, "The most to be expected from the generality of men in such a situation is the negative merit of not doing harm instead of the positive merit of doing good".

It has been mentioned that this would present the opportunity of building up a tremendous political machine. Personally, I cannot imagine such a thing in the State of Maine. When we think of these, we think of Pendergast, Hague or Curley. We think of paid workers, political favors, graft and corruption. Of necessity you must have large, thickly settled metropolitan areas where thousands of people, either through ignorance or coercion, are willing to vote as directed by ward leaders. The people of Maine just don't fit into this pattern. There is a difference between a machine and a person who has won the confidence of the people as evidenced by outstanding and increasing support at the polls.

Two points have been raised about referendum questions in general. The first is that the people aren't interested and that the floors of voting places are littered with uncast ballots. If we look at five examples of typical recent constitutional questions, we can easily understand the reason for this. 1. Clarifying voting by persons in Military Service. 2. Clarifying provisions in reference to State's borrowing power. 3. Exempting rental agreements with the Maine Schoolbuilding Authority from limitations on municipal indebtedness. 4. Extending pardon powers of the Governor and Council to offenses of juvenile delinquency. 5. To make temporarily inoperative any measure adopted by the people which fails to provide revenue for its service. Why should the people be interested in such questions? Of necessity, if changes are desired, they must be submitted to the people, but surely they are not the type of questions to fire the imagination. The second point has been made that the people will vote for anything, if the Legislature authorizes

its inclusion on the ballot. Let's look back at four recent examples of this. The following questions were turned down. 1. Voting machines in 1933. 2. The Veterans' Bonus in 1945. 3. Liberalizing municipal indebtedness in 1951. 4. Authority for a new office building in 1951. Over the years twenty-two suggested constitutional referendum questions have been rejected.

My final rebuttal point concerns getting out the vote. Some feel that to insure better representation in this House and Senate it is necessary to have a gubernatorial aspirant at the head of the ticket. Of course the vote will be larger in most places, but is that good or bad from the standpoint of State government? I am a firm believer that everyone should vote as a privilege and duty, but I am not convinced that a large vote alone assures the best Legislators. Those of us who go into politics at any level assume the obligation of a certain amount of campaigning, if we are truly interested in achieving success. If there are places where this is not necessary, the candidates are most fortunate. But if this exists only because someone else is doing the work, then that is hardly fair. Most of us would hate to feel that we are here only because of another person's diligence and ability.

So much for specific points. Although I may be criticized, since this is a bi-partisan assembly, I would like to make a few, brief partisan remarks. We are sent here to represent the people. In so doing, we should legislate according to our conscience and not any political faith. I am a representative first and a Republican second. If this were not a sound piece of legislation in my mind, I would not back it no matter what the political advantages might be. For instance, although I support this constitutional change wholeheartedly, I voted against a referendum to abolish the Council, since the ramifications would be too difficult to be generally understood. Even though the people would like to vote on that question, it would not be fair to them to vote on something without knowing what the consequences might be. But here is a subject which is certainly simple and straightforward.

At this point, let me dwell for a moment on my second duty as a Legislator, being a Republican. If, in our conscience, what we do is for the over-all good, then we are justified in considering the political implications. I am proud to be a Republican and, equally as well as any of my Republican colleagues, I would like to see our Party flourish.

It has been said that some of our recent losses are due to poor publicity. I have never been a newspaper man and I am certainly not a public relations expert, but how can we expect to have good publicity if we continue to do things contrary to the desires of the general voting public? Perhaps remarks such as this should be made relative to appropriations, taxation or highways. With these important matters still before us the subject under discussion today appears to be pica-yune. To the contrary, that is exactly why I mention it as a vehicle to improve Republican public relations.

In my opinion, this is a sound, logical, progressive step towards better government. It has definite widespread public interest and involves neither taxing the people nor spending their money. It cannot pass this Legislature without Republican support. By so doing, we would demonstrate that we are not stubborn obstructionists. Of course, I could not guarantee that this would automatically give us excellent publicity with added support at the polls. But I am convinced that, if we don't do it, we will receive constant and repeated statewide criticism and I ask Republican members of this Legislature whether you think we can stand much more of this.

As I mentioned in the beginning, I don't mind the slightest bit being outmaneuvered and I never take personal affront at being outvoted, but I hope the day never comes when people will say that I am outmoded.

Mr. Speaker, I move that this resolve be finally passed, and when the vote is taken I request it be taken by roll call.

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

Mr. CHILDS: Mr. Speaker, before I go into the merits of this particular constitutional amendment I hope for parliamentary expediency that no member here shall move for indefinite postponement as that would only complicate matters, and that we shall vote on passage only.

I think that today, we, as legislators and representatives of the people, are faced with a tremendous decision. That decision is not of the four year term for governor, or the change of election date—but a decision of much greater importance. It is the question that men and women have had to answer since time immemorial; the question being; should we render our decisions on our convictions or the convictions of those who may not respect our judgment and are in a position to impair us politically? These remarks are not aimed at the legislative proponents of these measures, as legislators, in my experience, have always held a respect for one another's judgment and convictions. This trait of having respect for the considered thinking of others is unquestionably one of the primary reasons this country has existed almost without conflict within itself. That we, who firmly and sincerely believe that certain constitutional changes are not in the best interests of good government, should be labeled as dead weight and ought to be thrown overboard in my opinion is a shameful example of disrespect for the judgment of others.

There are certain P. A. S. recommendations that I favor and those same recommendations are disfavored by others. If I were to make personal attacks on those whose thinking differs from mine, I would consider myself a very small man. An editorial in the Portland Press Herald not too long ago, in respect to a change in the Portland City Charter, stated that legislators should vote their convictions and if they felt a change in the city charter was not in the best interests of the people, they should vote against it, and even went so far as calling the referendum clause a gimmick. My concept of the referendum clause on constitutional changes, I believe, is fairly much in line with all the

members of the Committee on Constitutional Amendments, and the proof of this is that no member of the Committee signed an Ought to Pass report on every constitutional change. Therefore, each member of the Committee, Republican and Democrat, must have voted his conviction; otherwise, all constitutional amendments would have come out with Ought to Pass reports. I say the members of the Committee were correct in their thinking, and this is obvious because of the way the Constitution was set up in regard to Amendments. The people have the final say—they are the ones who protect the Constitution. Not only is it necessary to convince 2-3 of the Legislature that the Constitution should be changed, but the final protectors of our Constitution, the people, must be convinced. If the framers of the Constitution had been of the opinion that the procedure should be otherwise, if they had believed that your convictions should be secondary, the constitution would not have required a 2-3 vote. A 1-3 vote or even less would have been the required amount.

The opponents of the four year term for governor and change of election date have been accused of G. O. P. Old Guard thinking. That is certainly an unfair statement, if the accusers know what the terminology "Old Guard" signifies. I, and other opponents of these two particular measures are on record as having been in favor of many pieces of progressive legislation. I personally have sponsored legislation to increase taxes in order that our people would have more and better services. I have attempted to merge commissions and change the make-up of commissions so our State would be run more efficiently. I am also a sponsor of one of the Constitutional Amendments. Therefore, I cannot consider my self and other opponents as Old Guard Lawmakers.

My opposition to a four year term for Governor has absolutely nothing to do with partisan politics. I am opposed to this measure as I firmly believe it is not in the best interests of the people of the State of Maine. I believe that the Chief Executive of this State should remain as close to the people as pos-

sible, and I know of no better way than for a Governor and his party to campaign every two years and get out among the people and either stand or fall on their record. Politics is the most essential part of a democratic government and campaigns and elections are the most important parts of politics. A governor who finds it necessary to go before the people only twice in eight years is in a position to build up a tremendously powerful political machine. He is practically in a position to name his successor. This is not a matter of theory but of practical politics. It has been proven over and over that long terms of office, whether on a local, State, or National level, have not been in the best interests of the people. The aforementioned are some of the reasons why I oppose this Constitutional Amendment. This is my conviction and the way I shall vote, as I do not consider a four year term for Governor progress, because I do not believe that progress is taking government away from the people.

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

Mr. ROWE: Mr. Speaker, and members of the House: In a very brief period of time, I would like with your indulgence to address myself to the Republican members of this legislative body, or to what is debatable to no one, in numbers the majority party of this house.

The remarks which I am about to make can in one sense said to be a disservice to my party. For why should I be concerned with your thinking and your judgments over legislative matters now pending before us? I suppose I should be content if a portion of your group is determined to make some gross errors in matters of simple judgment . . . knowing full well that the mistakes that you make today, the harvest of which my party will reap in 1958. This will most assuredly be done. When the jurors of the State of Maine bring your stewardship to account, you can be certain that they will be more exacting than they were in those years of '54 and '56. The 30 and odd members of

your party who are no longer with us is a testimony to that fact.

However, both my party and I . . . and most important the people of our state . . . are deeply and seriously concerned with the judgments you will make on the constitutional changes now before us. Whether your prestige increases as a result of desirable and correct judgments is unimportant to us. There is more than an election to be won in '58. What is important to the members of both your party and my party, and particularly to the people of the state, is the selection, the molding and finally the passage of the best kind of legislation.

The items at hand are the several proposed constitutional amendments and particularly the proposed change from a two to a four year term for the office of governor. Therefore, although these remarks can be applied to a wider area, let us proceed to the matter at hand . . . the four year term of governor.

For several months now, indeed for several years, thru the many media of communication the spokesmen of your party on the three levels, local, state and federal, have exhorted and urged that your party must assume a "new and forward look." In this expression of the "new and forward look" the phrases "dynamic conservatism," "progressivism," and others have been coined. These phrases are, however, meaningless shadows if your party does not give them tangible form. Frankly, the private citizens of our state are confused, and I must say that I share in their bafflement. Up until this time your party or at least a significant number of its legislators have showed either a hostility or indifference to government reorganization . . . one item alone being the four year term for governor. How then is this attitude of indifference and hostility to be reconciled with the "new forward look" which your party has pledged to the people of this state?

I would say too . . . that you should recognize this hostility and indifference for what it is. It is time that we unmask this albatross which hitherto has poised as the anchor holding the good ship of state within the calm waters of the

harbor. The land must someday inundate itself, and then, too late, the ship of state will be left floundering upon the unsuspected reefs.

Generally too, underlying this hostility and indifference to government reorganization is a group whose philosophy of government is both strange and disturbing. They conceive of government as a completely necessary but evil tool ordering the affairs of the community. Strangely enough, this is not merely an incidental but an essential premise upon which the Union of the Soviet Socialist Republics is based.

There are the people too who wail about the bigness of federal government, while at the same time they would sabotage any attempt to strengthen our state government. The consequence is obvious to any thinking individual. A weak and inept state government by virtue of its impotency alone is a constant and encouraging invitation for federal intervention. President Eisenhower himself has defined this relationship time and time again. For example, witness the problem in the South. It is then dishonesty or mental weakness to complain about the bigness of federal government while at the same time employing any and sundry means to prevent the construction of a more efficient government at the state level.

Finally, a word about the individual and the community. There are those who have fought government reorganization because they have been seriously and honestly concerned with the newly acquired status of the individual consequent of the reorganization. Simply put, they have sincerely asked the question. . . will the individual be equally, less or more free than he was prior to reorganization. But they too have often confused the issue at hand, since they begin with the premise that an efficient government means less freedom. I would propose for your consideration that the converse is true. . . the more efficient a government the greater the share of freedom for the individual. The Nazi governments of the '30's and the '40's, and the Communist governments behind the iron and the bamboo curtains today are clear and lucid examples of grossly inefficient governments with their con-

sequent and inevitable repression of the individual.

As a last word, and this is most important. . . there are but two of the several constitutional changes before us proposing areas of reorganization which can be seriously questioned as lacking statewide support. We know this to be true. In such a situation the constitution provides the legislative bodies with the means of referring these changes to the people to ascertain in fact. . . are these your wishes? For some months now there has been reasonable evidence for us to believe that these changes are desired by the citizens of our state. Our duty then, it would seem to me, is simple and clear. . . the four year term for governor and other changes which in your opinion are receiving statewide support must be sent to the people in the form of referendums. A vote against any one of these proposed referendums at this point connotes a basic distrust of the voting citizen; a vote against any one of these referendums spells out a fear of the voting citizens' good judgment; finally a refusal to refer these changes to the people manifests a basic suspicion of our democratic processes. Let us make no mistake about this. There is reasonable evidence that the people of our state are asking to consider these changes because in their good judgment they spell better and more efficient government.

The SPEAKER: The Chair recognizes the gentleman from Belfast, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker and Members of the House: I believe in progress if the people substantiate it by their vote. I, like my good friend and able freshman legislator, Mr. Rowe, the gentleman from Madawaska, even if I cannot win a bill to advance our State on the road to progress, am not averse to supporting one of my colleagues in his efforts. I can see no danger in allowing our voters, the citizens of Maine, to vote on this issue of the Four Year Term for Governor. I hope that the motion prevails. Let the Republicans get credit for some progressive thinking.

The SPEAKER: The Chair recognizes the gentleman from Perry, Mr. Frost.

Mr. FROST: Mr. Speaker and Members of the House: It is my opinion we should pass this constitutional change. The people of Maine cannot vote on a negative vote. They must have a positive vote to vote on. Also, in living with these legislators I have discovered in talking to them that if you talk to a Republican who is opposed to these changes he says it is a Democrat measure. If you talk to a Democrat who is opposed to it he says it is a Republican measure. I don't think it is either. I think it is a measure for progress and one that should be offered to the people. I can't make a real address like some of these other fellows because I was milking cows when they were going to school. I do say, however, that we must make these changes or at least offer them to the people. I thank you.

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

Mr. BROWNE: Mr. Speaker and Members of the House: In discussing any question, I have always found it advisable to attempt first of all to define the problem or problems involved and once those have been defined to attempt in so far as possible to come up with some solutions and then from these solutions to select those which are the most worthwhile. Thus far the problem has not been discussed by the proponents with reference to this measure. It has been more or less assumed that all parties involved have preconceived notions, preconceived ideas and definite positions which have already been adopted and from which no one wishes to move and therefore, the discussion thus far has been with reference to the emotional angle which surrounds this problem, together with political expediency. To me these are fringe matters and should be treated as such. The problem involved herein is a basic question of the philosophy of government. One philosophy would have a powerful chief executive. A chief executive in whom there was a concentration of power. The other would limit that office and

would have some control over that official. That is the problem. Now what do the proponents offer as reasons for supporting this particular measure? First of all, progress. Secondly, it is easier for the governor to campaign. Thirdly, the two-year term has outgrown its usefulness, and fourthly, the people should have a right to speak. Now, here are some of the arguments offered by the proponents to bolster the reasons they have given for this change. First of all they have stated on the house floor, or in the papers or in the corridors that the opponents of these measures are obstructionists. Secondly the opponents, together with any party they may be affiliated with are doomed to political extinction.

In spite of the fact that this and other measures have been introduced by the Republicans and Democrats alike, it has become labeled a party issue, the Democrats having been labeled as the party which has been traditionally active in sponsoring these measures, and the Republicans have been labeled as the party of opposition. This can be substantiated undoubtedly by pointing to the records in which it will show that at the time the vote was taken in any past legislatures in which these matters were considered the Democrats voted in favor where the Republicans, or the majority of them, voted in opposition. I say to you, Ladies and Gentlemen, that the minority party has been in a position to indulge in acts of political expediency without responsibility knowing that the measures would undoubtedly not receive passage, and I suspect that many of them hoped that this would be true. This privilege has not been one which the Republicans could enjoy. Certainly if the support these measures have received this session by the proponents is any indication of the support they have offered in past sessions—one might very well doubt their sincerity of motive or purpose and it is no wonder to me that these measures have failed of passage.

And because of this situation, democratic political thermometer runs high, so they say, because it

looks well when they can rise as a body on these measures which have been clouded by emotion to shout that they have been championing them for years. And yet only a few short weeks ago when these measures were being heard before the Constitutional Amendments Committee, the minority floor leader was pleading with his members for some support. Of course, it poses some hardship upon the Governor or a candidate to that office to campaign, but I do not think that that alone justifies the changing from the two-year term to the four-year term for Governor. Throughout the incumbent's term in office he is campaigning all the time if he is interested in re-election or in any other office. To be sure it is different in getting around the state participating in various functions and speaking on various occasions throughout his term then it would be in conducting a campaign. However, it can be done much more leisurely. Subject matters may be discussed and put across at these times which might be difficult to do in a campaign because in a campaign your opponents and the public in general are looking for things to attack or support; and one would have a divided audience, either with you or against you and very much so. However, in one's leisurely speaking engagements or participations throughout his term of office he occupies a more favorable position with audiences generally in their thinking, understanding and the attention he receives. In some states the arguments for a four-year term versus a two-year term with its related campaign problems could be much more acute and much more important than it is here in the State of Maine.

Now what about the statement that a four-year term for Governor spells progress. I am at a loss to interpret this in that light. I cannot see how the four year term can be labeled as progressive legislation and voted either for or against on that basis. To me it is completely illogical. I have already stated that I am aware of the fact that there are problems in campaigning. I am also aware that when one is forced to campaign, it takes some of his attention from his administrative

duties. At the same time, however, and on the other side of the ledger, when the Governor or any candidate is around through the state discussing issues he is acquainting himself more fully and more completely with these problems and these issues and I dare say that on many occasions a candidate has changed his position and justifiably so on some of the matters which subsequently came to his attention on the basis of his being forced to be around the State to become acquainted with the issues sometimes in their minute details. Now to me this is not bad, this keeps your government close to your people. Your government is more responsible and responsive to the people. The general public feels close to it, takes more interest in it. Some of your proponents have argued that in the beginning our governors were elected for a one-year term. It was subsequently changed to a two-year term. It is now logical therefore, they argue that the term should be enlarged to four years. If this is true and if this is the reason, for the change, I dare say that we should probably discuss not the four-year term but a six or eight year term at this time. There has always been conflicts throughout the history of the development of our government between those who would have powerful states or powerful local units versus those who would centralize the power or control in the federal government. There have been conflicts on methods and manners of representation such as area representation or representation by population. Here in Maine at this time we are concerned with the issue of whether or not we wish a concentration of power in our chief executive or whether we wish limited powers, and I do not think that it is logical or reasonable to cloud this issue with emotions and with such slogans as old guards, progressive legislation or obstructionists; the issue is a basic one, and it involves more than the one measure under consideration at this time.

The Constitutional Amendment committee heard some eight, nine or ten proposed changes to the constitution. Some of these were very broad and some bore a very close

relationship to others and the decision with reference to them should be considered in the light of such relationship. I am thinking of abolition of the council, annual sessions, and four-year term for senators, for example.

There are some amongst this body who would throw all of these to the people at one time, without regard to the possibility that some might pass and other related matters might not; without concern for whether or not they would even be understood. I ask you is this responsible behavior? If we were to do this we should well be criticized for doing an injustice to the people.

For once the emotional element is subtracted there remains the effect, the adjustments which must be made, and all the other ramifications which must be considered if the proposed changes were made and these matters must be considered long in advance of putting the question to the general public.

Now where was all the support from the grass roots so to speak for these measures? I never attended such quiet and uneventful hearings. Even the sponsors themselves offered only token support. One might get the idea that the sponsors were motivated by publicity rather than sound discretion.

If I had held myself out as a champion of these measures for years past I would have prepared myself for the hearing to the extent that I could discuss the issues involved, their ramification, and I would have been prepared to discuss the solutions as well. I would not have spread my support over all the amendments submitted with a blanket endorsement and offer only token support. Especially in face of the apparent lack of any particular public demand for these changes. Now if one argues, as I have heard it stated, that the general public could not have been expected to come before the Committee and discuss these technical issues it only bolsters my position when I say that we would be doing an injustice in now dumping these matters in to the laps of the general public. Any one who can endorse these measures right down the line for reference to the people

demonstrates a lack of maturity and understanding.

Some of the members have been criticized for saying that they were sent down here to vote on these issues and to use their discretion in these matters and therefore, were not hasty to send these to the people at this time. This position was criticized in the papers to the effect it was avoiding the problem. I take issue with this and for the following reason, I firmly believe this House is about as close to the electorate as any group could be on the state level. Many came from small communities where I presume you know a good percentage of your constituents. The cities send down from three to seven members. If there was a big move or unrest within the state for these measures, I certainly would have heard about it. I have been lobbied on about any issue one could mention which is before this legislature, but not once has anyone mentioned these constitutional amendments.

When the people are interested they start talking. When they start talking we hear about it and when we hear about it we respond, and until that time I don't think we can be honestly criticized for using our own best judgment.

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

Mr. DUDLEY: Mr. Speaker and Members of the House; I don't think it is hardly fair for this House to label this a party measure, Democrat or Republican; but I do think I am fair in saying this measure might have passed several years ago if it had not been for so many Republican members in the House. I'd like to look at this measure the same as a business man would who has run a business several years, and I'd like to point out how I view it, as such. I say when the people of Maine go to the polls and elect a Governor it is the same as it is when one hires a man to do a job for a certain number of years. After he has been on the job one year he finds it necessary to roam the roads to campaign. I feel as though we have hired him to do the work, and he must neglect his work to a certain extent in order to get out and campaign for another term. He

also may find it is necessary to make appointments that he otherwise would not make. I'd like to see the measure sent to the people. As I have said before in this House, I believe the people of the State of Maine are intelligent people and they don't mind voting on an issue of this nature. I think I have mentioned here before that most of us in this House thought that their decision of last September was satisfactory and I am sure we will feel their decision on this measure will be very satisfactory. Thank you.

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

Mr. COUTURE: Mr. Speaker, Ladies and Gentlemen of the 98th Legislature. I arise this morning in support of our very able floor leader and also my very good friend from Bath, Mr. Ross. I feel that I would be derelict in my duty to my constituents back home and to all the citizens of Maine if I did not say a few words in favor of this resolve.

We as legislators are not changing the tenure of office for Governor; we are merely sending it on to our people back home, the same people who made it possible for us to be up here today. They had faith in us and I feel that they proved their intelligence. Just looking around this House of Representatives proves conclusively that our people back home are intelligent and can be trusted to do what is right.

Ladies and gentlemen, it appears to me that this legislature does not want to please our people back home. We refused to take any forward steps in our pollution problem. We refused and ignored the pleas of our milk consumers, when we did not go along with the recommendation of the Milk Research Committee and pass L. D. 416. I am beginning to wonder if the only thing we are going to be remembered for is the increase of the sales tax, 24 millions of dollars in bond issues and an increase in registration and license fees.

I don't think that there is any doubt in anyone's mind how I feel about all the proposed changes in our Constitution. I feel that these questions are so vital to the people that they should go back to them. It is their Constitution and if they so desire

to amend it they should not be denied that privilege, and the passage of this measure is the only way we can grant them this privilege.

In closing, I would like to say that we are indebted to our people for the trust they have placed in us and I feel that by sending these questions back to them it would be a down payment on our long overdue trust in their intelligence. For these reasons I beg the passage of this measure. Thank you very much.

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

Mr. QUINN: Mr. Speaker, first I want to compliment and congratulate our eloquent and able Republican Assistant Floor Leader for the very eloquent address he gave in presenting his case. I regret very much, however, that I am not thinking the same way he is thinking and I can not go along with him in his crusade. I have no prepared speech to make. I have some very definite reasons why I have made my determination as I have, and I will merely refer to those reasons.

It has been said that if the Governor was given four years he would be a better Governor because he could give more of his time to the duties of his office and he would not have to worry about reelection every two years. Now, I don't think that is so. I believe if a man runs for Governor in the first instance and is elected Governor of this great State of ours, that he has the obligation to perform the duties of that office in his best efforts, to give all he can to performing the duties of that office as they are outlined in our statutes, and if he does, and he does a good job, come two years and there is no question but the electorate will send him back for another two years. His only worry is that he do a good job.

Now, I feel by going before the voters every two years he is doing nothing more than other office holders such as our congressmen, the members of the House and Senate themselves have to run every two years and many of our county officers have to run every two years, and I feel in this day and age when a great effort is being made to get out a large and representative vote,

it is necessary to have a ticket that the voters will be interested in. If the Governor was not on the ticket every two years that I believe would have a great effect on the size of the vote rendered in the different precincts. I believe he will have a larger vote if he is elected every two years. I also feel that if he is a good Governor and is reelected to a second term there is no reason why he could not be reelected to a third term if the people of the State of Maine feel he is the man they would like to have administer the functions of that office for another term. Now, our constituents sent us here to exercise our best judgment. I like to think that is the reason I am down here. I know I am not here because of any popularity contest.

Now, a short while ago I had occasion to meet with some of the citizens who sent me here from my own city of Bangor, on other matters pertaining to legislation that they were interested in, and I was a little disturbed about the proposition of whether or not they expected me here to exercise my best judgment on all the facts as I have learned them by my contact with State government or whether they expected me to vote for these constitutional amendments merely to have them come back and have the people vote in referendum on them. And to a man, the people in that group said, "We elected you to go down there and learn the facts and exercise your judgment in each instance. We do not care to have them referred back to us." Now, that being their feeling, if we should vote merely to send them back to the people, we are saying to the people that we are in favor of them, that it is our best judgment that the term should be changed. Now, I say we don't want to do that. We want to exercise our best judgment here today in line with what that determination is, and not vote in favor of any of these amendments merely to return them for popular vote.

Now, we have been here, some of us for our first term and some others of us have been here many terms, and because of our association here in the House and with the activities in the Senate, activities

in the Governor's office, in the Council, and in the State departments, we have learned much about State affairs. We have learned much about the functions and duties of the office of Governor and are better informed to make a decision than the electorate would be, many of whom have never even visited the Capitol.

It is significant to me and perhaps some of you have had the same experience that not one of my constituents at any time during this term, not one of them have approached me and asked me to vote for a four year term for Governor. That is the interest there is in the four year term for Governor. I dare say that there are many of you who have had the same experience. Apparently there is no great clamor for this reform. Apparently there is satisfaction that the two year term is the proper and efficient way of electing the Governor of this State. The only time I could get any reaction was when I broached the subject myself and sometimes the person I spoke with would immediately say, "Oh, the four year term, by all means." Then we would exchange thoughts on it and analyze the situation and invariably when we had completed doing that they would say, "Leave it as it is. It is all right."

Now, gentlemen, that is the reason for my stand in voting nay when the yeas and nays are called, and I hope those who think the same way will do likewise.

THE SPEAKER: The Chair recognizes the gentleman from Bingham, Mr. Shaw.

MR. SHAW: Briefly, Mr. Speaker, and Ladies and Gentlemen of the House; during the past week at a meeting held in my home town the question of a four-year term for Governor was placed before the meeting for the purpose of determining their sentiments. Those who asserted themselves at that meeting were opposed to the four-year term for Governor. When the question of whether or not the issue should be referred to the electorate was placed before them some of the first hands to show were those who were opposed to the four year term. Now, the response of that group was unan-

imous in favor of the referendum. If the four year term for Governor does become a referendum issue my present sentiments would compel me to vote against the four year term for Governor. Today when the yeas and nays are called I will say "Yea" because I feel definitely this issue should be referred to the electorate.

The SPEAKER: The Chair recognizes the gentleman from Buxton, Mr. Bruce.

Mr. BRUCE: Mr. Speaker, Ladies and Gentlemen: A week ago last Friday I heard one of the most eloquent speeches that I have heard on the floor of this House. I had been up to the time opposed to the four year term for Governor and other constitutional questions, but I thought perhaps I might be wrong. The following day we had a special election in one of the towns I represent and I made it a point to ask each person with whom I came in contact their opinion on the question. It was the most amazing result. I almost hesitate to say it, but not one single person was in favor of the four year term for Governor. In the first place, there was no interest in it at all, and when I asked the question they were opposed to it. I will not attempt to go into the merits of the case because it has been so adequately discussed by the gentleman from Bangor, Mr. Browne, and the gentleman from Bangor, Mr. Quinn, and others. I have been thinking over the weekend that perhaps my community being a country town and somewhat isolated, was not in step with the rest of the State, and I have been so in the habit of neglecting my business the last 20 weeks it didn't bother me too much to get on the telephone Monday morning and afternoon and I telephoned a great many people in the City of Portland in all walks of life and discovered that the question had been propounded at one of the important political clubs in Portland and it was voted down by an overwhelming majority. Then I said, "Perhaps Portland or the people I am in contact with are not the right ones" and I got on the long distance telephone and I did call a gentleman in a town close to the town of Bath and he has con-

nections there, and he was in favor of the four year term for Governor and the other Constitutional changes. The gentleman from Bath has apparently heard about the call. I also called a newspaper editor who has been advocating the change very forcefully in his publication and his editorial has been perhaps mentioned this morning. It is dangerous to quote anyone but I will make this statement, that he said there was no public clamor for a four year term and with his editorials he had been unable to arouse any interest in it. If I have misquoted him he has the power of the press to answer me. Last Sunday afternoon I had the privilege of appearing on the League of Women Voters news conference on Channel 8 and the interviewers gave me a hard time on the constitutional questions. They thought the electorate should decide the issue. So I faced the camera and I said, "If anyone listening to this program, or those of you who are listening to this program will write me care of the State House in Augusta, if enough of you write me I will change my opinion, and change my vote." Ladies and gentlemen of the House, I received two letters. Thank you very much.

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. Emmons.

Mr. EMMONS: Mr. Speaker, on the matter of the constitutional amendments, I favor some and do not favor others. I am not particularly moved by the arguments of my friend, the gentleman from Madawaska, Mr. Rowe and I disagree with some of the premises on which his arguments are based, but I agree with him that this particular question should be sent to the people. Our government is getting more and more complex. Our administrative problems are getting more complex. Many of our problems are integrated with federal policies and problems. In the whole administrative area the matter of governorship and his duties are much more complex than they were thirty or forty or fifty years ago. Now, if we are having changes the way they can be done is by sending them to the people. I have a good deal of confidence in the people, especially if they are conversant with all the

facts. This is one amendment, at least, the matter of a four year term for Governor, in which all the people have sufficient facts and general knowledge of our present problems to express a definite opinion. In many town meetings I have found that where I may oppose some of the matters after they were thoroughly discussed and a majority have voted on the side I did not represent, I have found in most instances that they were right and I was wrong. I differ with my friend, the gentleman from Bangor, Mr. Quinn, that by sending this to the people we have placed our stamp of approval on it. I don't think that is at all so. I think we are simply saying to the people, "Here is a possible change. Here is a change that perhaps should be made, and we have confidence in you to know the facts." In this instance they should have all the facts to be able to express a good judgment based on those facts. If we also have the confidence that many of our representatives here have expressed there is nothing to prevent each and every one of us at the time of the referendum from going out and working either for or against it, and if we are against this four year term for Governor and if we have the confidence of the people they will respect our judgment.

The SPEAKER: The Chair will interrupt the debate long enough to request the Sergeant-at-Arms to escort to the rostrum the gentleman from Portland, Mr. Fuller, to serve as Speaker pro tem.

Thereupon, Mr. Fuller assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Edgar retired from the Hall.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I hope there is one thing I do not do and that is to repeat any comments or arguments that have been made to date because you have certainly been patient and attentive in listening to some of the fine speeches that I think have highlighted the fact that you are first asked to make up your own minds, and sec-

ondly, you are being asked to allow the people to make up their minds. I would like to bring out one or two points in support of the present question which I do not think have been mentioned to date. One of the first and most important to me is the fact that in our own Party Convention last year a very serious request was made that a Constitutional Convention be held, and if I recall correctly, we of that party answered that request by saying, "We will take up these issues in the legislature and we will attempt to prove that we have an open mind and will allow those measures we feel worthy of consideration to go to the people". I am frankly a little bit skeptical of what the reaction will be amongst my own party members, and particularly the State Committee, who have on two separate occasions endorsed allowing this measure as one of three to go to the people, what will happen if we ignore their endorsement and ignore the request of the Party for a Constitutional Convention? Again I agree with the gentleman from Bangor, Mr. Quinn. You individually have got to be convinced that this measure has merit. On the other hand, I do agree with the gentleman from Bingham, Mr. Shaw, that perhaps it is very worth while to also allow the people to vote on these measures.

I'd like to make one final point briefly. If there is precedence in this legislature for allowing people to vote on issues you have to look no further than your own Legal Affairs Committee, who I think, after being here four terms, have consistently taken the position that if local issues such as water districts, sewerage districts, parking districts, et cetera, are in order legally, and reasonably intelligent, it is only fair to allow the people to vote on the issues as they wish. To me the failure of the people that you have heard here today to demand a four year term is very understandable. I have never heard any clamor from people for annual sessions. I have never heard any clamor from the people to change what in my estimation is a poor system of forcing legislators to take turns in their district. I think one of the

most unfortunate situations in this legislature, is to see some very able hardly get broken in, so to speak, and they have to step aside because they have this antiquated rule of automatically stepping aside for someone in another town. There are internal administrative improvements that this legislature could make which the people know little about or care about. We could improve this legislature, and I feel the same way about removing the burden from the Governor of campaigning every two years.

I certainly hope that when you vote you will vote with two points in mind. First, are you for it individually; and secondly, whether as a result of party clamor for a Constitutional convention and the endorsement of your State Committee you feel that these measures could be allowed to be referred to the people.

The SPEAKER pro tem: The Chair would like at this time to take the opportunity to announce the presence in the gallery of the House of the sixty-six eighth grade students from Cathedral Junior High School in Portland, Maine under the guidance of Sister Mary Rose, Sister Mary Pierre, Sister Mary Olivia, Sister Mary Corona, and Sister Mary Helena. On behalf of the House we extend you a cordial and hearty welcome and we hope you may profit from your visit with us today. (Applause)

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Kittery, Mrs. Burnham.

Mrs. BURNHAM: Mr. Speaker and Members of the House: I am not going to try to add anything to the discussion that we have just heard. It seems to me that every point has been covered. I would like to state my position in the matter. I am not in favor of a four year term for Governor but I shall vote to allow it to go to a referendum.

At this point Speaker Edgar returned to the rostrum.

SPEAKER EDGAR: The Chair wishes to thank the gentleman from South Portland, Mr. Fuller, for his excellent services.

Thereupon, the Sergeant-at-Arms conducted the Gentleman from South Portland, Mr. Fuller, to his seat on the Floor, amid the applause of the House, and Speaker Edgar resumed the Chair.

The SPEAKER: The question before the House is on the motion of the gentleman from Bath, Mr. Ross, that the House finally pass Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Four-Year Terms, House Paper 157, Legislative Document 204. This being a constitutional change it requires the approval of two thirds of the House. The gentleman from Bath has requested a roll call. Those desiring a roll call will please rise. Obviously more than one fifth have risen and the roll call is ordered.

Those who favor the final passage of the resolve will say "Yes" when their names are called and those who are opposed to final passage will say "No". The Clerk will call the roll.

Roll Call

YEA—Andrews, Babineau, Baird, Bartlett, Bean, Winterport; Beane, Augusta; Beyer, Brewer, Broderick, Burnham, Carey, Cole, Cormier, Cote, Couture, Bath; Couture, Lewiston; Coyne, Cyr, Davis, Westbrook; Denbow, Desmarais, Dostie, Dudley, Dumais, Duquette, Earles, Edwards, Elwell, Emmons, Ervin, Farmer, Frost, Gallant, Hancock, Hanscomb, Hanson, Harriman, Harrington, Harris, Hatch, Heald, Hendricks, Hendsbee, HERSHEY, Hickey, Higgins, Hilton, Jacques, Jalbert, Johnson, Jones, Karkos, Kelly, Kinch, Knapp, LaCasce, Latno, Letourneau, Mann, Maynard, Miller, Morway, Nadeau, Needham, Pierce, Plante, Porrell, Prue, Rancourt, Rankin, Rollins, Ross, Bath; Ross, Brownville; Rowe, Madawaska; Roy, Saunders, Shaw, Smith, Portland; Stanley, Stilphen, Storm, Tevanian, Thackeray, Totman, Vaughan, Wade, Walsh, Walter, Warren, Wheaton, Whiting, Winchenpaw, Speaker Edgar.

NAY — Allen, Anthoine, Besse, Blanchard, Bragdon, Brewster, Brockway, Brown, Ellsworth; Browne, Bangor; Bruce, Call, Car-

ter, Etna; Carter, Newport; Carville, Caswell, Childs, Christie, Crockett, Curtis, Davis, Calais; Day, Edgerly, Emerson, Emery, Flynn, Foss, Frazier, Fuller, Graves, Hatfield, H a t h a w a y, Haughn, Hughes, Hutchinson, Leathers, Libby, Lindsay, Mathieson, Maxwell, Morrill, Quinn, Rich, Roberts, Rowe, Limerick; Sanborn, Shepard, Smith, Falmouth; Tarbox, Turner, Walker, Webber, Williams, Wood.

ABSENT: Hoyt, Jack, Jewell, Lane, Violette.

Yes: 93. No: 53. Absent: 5.

The SPEAKER: Ninety-three having voted Yes and fifty-three having voted No, and five absentees, the motion does not prevail. The Chair must declare that the Amendment fails of passage and it will be sent to the Senate.

Mr. Ross of Bath was granted unanimous consent to address the House.

Mr. ROSS: Mr. Speaker, that was certainly a very close vote, I would say. I did not use the parliamentary procedure of changing my vote. I did not want to do that. The friends in the House who voted against me are Republicans with honest convictions and I certainly respect those convictions. Perhaps your convictions are right and mine are wrong. I know that this will have nothing to do with our continued friendship, and I certainly will continue to cooperate to the very best of my ability in all our future legislation. Thank you. (Applause)

The SPEAKER: The House will be at ease for ten minutes.

House at Ease

Called to order by the Speaker.

The SPEAKER: At this time the Chair would like to state that if any members who spoke previously on the matter just disposed of have got a written speech or any memoranda of any kind in writing, it would help the House Reporter who is laboring singlehanded and under great difficulties if you would give him your written words to be inserted in the record. The Chair is advised that if you wish them back you will get them back after he has entered them in the record.

The Chair would also request that when the House reconvenes this afternoon, that the attendance be as good as it was this morning. We have several more important issues coming up immediately on reconvening and in view of the excellent attendance this morning, we hope for the sake of those involved in these issues that the attendance will be here in good shape at one-thirty.

Thereupon, on motion of Mr. Leathers of Hermon,

Recessed until one-thirty o'clock in the afternoon.

After Recess

1:30 P.M.

The House was called to order by the Speaker.

On the disagreeing action of the two branches of the Legislature on

Bill "An Act relating to Injury to Monuments and Places of Burial" (H. P. 920) (L. D. 1310) the Speaker appointed the following Conferees on the part of the House:

Messrs. QUINN of Bangor
FRAZIER of Lee
SHAW of Bingham

On the disagreeing action of the two branches of the Legislature on

Bill "An Act relating to Hours of Selling Liquor" (H. P. 429) (L. D. 605) the Speaker appointed the following Conferees on the part of the House:

Mrs. CHRISTIE of Presque Isle
Mr. CROCKETT of Freeport
Mrs. HENDRICKS of Portland

THE SPEAKER: The House is proceeding under Enactors and the item before the House is item number three.

Constitutional Amendment

Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election (H. P. 66) (L. D. 93)

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

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

Mr. JALBERT: Mr. Speaker and Members of the House: Much was said this morning during the course of debate concerning political parties, political make-ups of bills, and

decisions within ourselves. I would like to state my position by telling the members of this body that I am a member of the Democratic Party. I always was. I always will be. I feel also that I am a politician. I may have had a birthday a few days ago, and I was wished well by you members on my birthday, but I don't think that I'm six foot under; I don't think I'm a statesman; I'm in no cribbage game here. I'm in politics, and I love it.

Concerning this change of the election date, politically speaking, it has been indicated that I have somewhat cooled off on the subject. My reasons, however, for having introduced the bill for the sixth time are twofold. The first is economy. The second is the possibility of further enlightening the electorates of our state in that it concerns presidential year's elections, and I will go into that shortly. This measure has been presented eighteen times since 1909. It has been defeated seventeen times. The history of this bill is rather interesting, and it is also truthfully said that some time we get interested in legislation to a point where we make some sort of a study on it. I have no prepared remarks. I listened intently to the remarks of the gentlemen this morning, and all spoke very well pro and con. I did make some notes.

A few years ago while I was doing a little research work on this measure, I noticed that in 1911 the bill was presented by a Democrat. The House, the Senate and the Governor's office were occupied in majority by Democrats at the time. The bill was defeated by the Democrats. In 1913 the Governor's office was occupied by a member of the Republican Party as well as the House and Senate holding a majority. The bill was again introduced and it was again defeated, this time by the Republicans. So that truthfully speaking, it could be said if we are going to talk politics that if it is expeditious for one party to make a change, they do it. If it is not, they don't. In my humble opinion, it is as simple as that. In the five previous times that I have presented the bill, the Committee report in 1945 was nine - one "Ought

not to pass." The bill was defeated 107 to 14. In 1947, the "Ought not to pass" report was unanimous. It was defeated 79 to 49. In 1949, again straight "Ought not to pass." The bill was defeated 88 to 38. In 1951, again straight "Ought not to pass." The bill was defeated 109 to 27. In 1953, a divided report five and five. The bill failed of enactment by five votes, 91 yes and 51 noes. I think possibly the success of the 1953 session was largely due to the fact that the bill was debated for three hours on the floor of the House, and I never got up to make one statement. The bill in the past has been introduced by members of both parties, and also in doing a little research work, I found that four times the bill was presented by Senator Boynton of Lincoln County and I know our affable Clerk would enjoy this. In those days Lincoln County was as Democratic as Lewiston.

Going into the meat of this bill. It was interesting to me to listen to my good friend the gentleman from Harrison, Mr. Morrill, yesterday, in that he made these remarks stating that this changing of date of elections would be a financial blow to some of the areas of this state where some so-called summer residents' residences are held. In the western part of the state where many people from all the eastern states, some from Texas, who are changing their legal residences to the State of Maine so as to be able to vote in the yearly elections. Many of these people are spending more and more of their time in the State of Maine each year, and as this is one phase of the economy of the state that is building up, and our early elections are helping this cause, I am for the early elections. Therefore, I am going to move the indefinite postponement of this bill and its accompanying papers. The fact on these remarks, and I certainly respect the gentleman who made them, is that the bill is intended to help our Maine people who do not participate in our elections.

The first time that this was ever discussed was in 1819 when our good forefathers were studying, having—holding their constitutional debates. The book is about 600 pages long and the only comment on it is, was

made by a Mr. Holmes who said that it was the object of the Committee to fix on a date between the former and latter harvest, as the least busy season, and they considered the second Monday of September as coming nearest that purpose. Dr. Phelps moved to strike out "second" and insert "third Monday." Col. Moody thought it was best as it stood; the third Monday coming so near the equinox, the weather would not probably be so favorable. This motion was also lost, and the fourth section passed without amendment.

The facts are that the weather vanes change and that we enjoy beautiful weather in November. The facts are that during the time when our election comes about between the fifth or sixth to the eighteenth or nineteenth of September, our good friends in the garden spot of Maine are busy doing their work, and there are thousands of people in other areas who are doing their harvest and they cannot participate in these elections. The facts are also true, and I think last year indicated it, that the Democratic Party held its convention in Chicago at a late date and the Republican Party held their national election much later so that these good candidates in either party were caught betwixt and between. If they were participating in party conventions as delegates or alternates, they would neglect their campaign. I think that is an important point. Also it's only after the conventions are held that congressional candidates receive literature, comments, suggestions from national headquarters.

Now, some opposition to this measure is based on the fact that Maine rates a great deal of publicity by holding a September election. On the other side of that picture, is it not true that Maine loses a lot of publicity because we are out of the picture and out of step, if I may say so, with the rest of the nation during the September to November months. Another argument is the fact that it is very difficult to get to the people during the summer months. They're on vacation. The weather is rather warm and there's not too great an interest. Between September and November our children are back in school and more time could be devoted to an elec-

tion. The proof of that is that in 1940, sixty-five thousand more people voted in November than in September. In 1944, eight thousand; in 1948, forty-one thousand; in 1952, one hundred and two thousand; in 1956, forty-eight thousand. That indicates that there is more interest.

Back in 1945 when I first presented this measure, I sent out a questionnaire to the towns and cities. Two questions were on the questionnaire. One, do you favor having our state election in November instead of September, thus doing away on presidential year with the September election? Two, how much does the September election cost your city or town? One hundred seventy-six answered "yes", seventeen "no", and two gave no opinion. I computed the costs, and found that the cost to the towns was \$45,000.00. Estimated that the loss of time of city and town officials was \$10,000.00. The state election division costs, \$24,000.00. Extra clerk hire, \$10,000.00. Figuring that time is at least worth something, I arrived at the figure of 50 cents per voter to go to the polls, so that if our state's expenditures since 1945 have tripled themselves, it is fair to assume that these expenditures have certainly doubled themselves. I contend that if the publicity that we get by our September election overshadows the publicity that we lose by not having a November election, certainly it must be a fact that the money that could be saved could certainly be used to real good advantage.

I have attended oftentimes town meetings, which is the basic make-up of our great country, and I have listened many times to good sound debates in that it concerned a very few dollars. In my own city it runs into a great sum of money. I could talk on this subject at length. I have attempted to give you my sound arguments, I believe, and I will now yield to other proponents or opponents, and possibly get up for a few brief moments in rebuttal. I now move the passage of this bill to finally be enacted.

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

Mr. HAUGHN: Mr. Speaker, first I am a Republican. Secondly, I am not a politician but a statesman, I

hope. Thirdly, I am not playing a cribbage game either. Fourthly, I disagree with my good colleague and friend the gentleman from Lewiston, Mr. Jalbert, which is our second round. I think shortly the third round will be coming up. It appears to me in reply to one answer that he related to us in regard to expenditures, what he calls economy, I call false economy. I believe, as any big company does, that when they advertise their products they do it for a purpose, to keep before the public eye and also to be able to create in the minds of the people what the problem is, what the merchandise is, and we in the State of Maine are in a similar situation.

And as for spending the sum as he says was so staggering, I disagree once again because in my figures it runs roughly \$35,000. He estimates at triple that amount. We have agencies within the State of Maine which spend vastly far as to publicize the State of Maine for the same purpose of which our present election day is held which gives us favorable publicity and for returns that we gain from national recognition and by making people curious as to what our state is and bringing in the returns to us that it does, he and I certainly disagree once again.

As far as that date of the year for getting more people out to vote, we go in the northern end of the counties where they are apt to have snow or such extreme bad weather, although they may want to vote and they may be interested, they still won't turn out. I think if we within our own political parties, our activities to bring the people out more than it is he specifies that particular time of year to do it. And I will do as the previous bill will specify that I hope this will not be indefinitely postponed, and I so move the roll call vote be taken by the yeas and nays when it is taken, and the merits of this bill be decided by this body, and of all the opportunities my good friend the gentleman from Lewiston, Mr. Jalbert, has had to pass this bill, I hope his previous record will not be unbroken and we will not accept his report.

The SPEAKER: The Chair recog-

nizes the gentleman from Cape Elizabeth, Mr. Beyer.

Mr. BEYER: Mr. Speaker, I would like to say a few words in support of the motion of my colleague the gentleman from Lewiston, Mr. Jalbert. In a partisan note to my fellow Republicans, I would certainly like to say that it is not clear any more to me from the last two state elections that we can count any longer on the overwhelming victory at the polls in Maine to set a tone of confidence for the rest of the country in November. I know for some time that was the main theme of the Republicans, especially our representatives in Washington.

It is not just the economic side of this question that should be a factor in its favor, although I definitely don't think that it should be overlooked; none of us can afford to overlook that item these days. But to me it is the "Get-out-the vote" theme that I think should be stressed in urging that our state election be changed to November. There are two items in this "Get-out-the-vote" theme that have been brought out before, and I don't think it would do any harm to bring them out again. You have already heard from the other speakers that many of our people are still away on vacations from the summer months because the warm weather is still with us, and I certainly do concur that the seasons seem to have changed somewhat. We get less warm weather in the spring and more in the fall. Others are away on business because the vacation land business as such is beginning to taper off and the winter markets are developing.

Now, this may not be as important a factor as the final one that I'd like to bring out, and that is the important factor of the lack of interest in campaigning for the respective parties during the summer months in pre-election activities. In our town a year ago, we tried to drum up a lot of enthusiasm for our Republican candidates, and we were constantly running into the problem of vacation absenteeism and of general warm weather apathy. I do feel that the experience of other states have shown that in the cooler weather, when people are

back in the track of their business, and come from their summer places, they are more interested in going to the polls and taking part in their political activities, and I know that this has been a long day so I won't continue my remarks any longer except to hope that you take those considerations into effect.

The SPEAKER: Is the House ready for the question?

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

Mr. CHILDS: Mr. Speaker and Members of the House: I shall not speak on the merits of this measure, I would only like to bring out one very, which I believe, good point, and that is this, that I hope that the Republican members of this House shall vote their convictions on this matter, and if they are of the opinion that the change of election date is good for the State of Maine then I hope that the Republicans shall vote for it, but if you are of the opinion it is not going to be beneficial for the State of Maine, please vote against it. But I urge you please do not make a political football out of our Constitution.

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

Mr. JALBERT: Mr. Speaker and Members of the House: If my memory serves me correctly, the gentleman from Portland, Mr. Childs, spoke for a constitutional amendment a short while ago, and I would ask him a question through the Chair: Is that not the only vehicle whereby the people have an opportunity to vote on a constitutional amendment?

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

Mr. CHILDS: Mr. Speaker and Members of the House: As I pointed out this morning when I spoke on the four-year term for governor, the gentleman's statement is correct, but I also, in order to fully answer the question, shall say that before it goes to the people, the Constitution has determined that two-thirds of the members of the legislature should believe that the matter has

merit. Now, if the framers of our Constitution were of the opinion that all matters should go directly to the people, they certainly would never have required a two-third vote. The way the Constitution is set up is the people are the final protectors of our Constitution, but our feelings should not be secondary. Our primary object should be our convictions, and we should vote for what we think is for the best, and in the best interest for the people of this state.

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

Mr. BRAGDON: Mr. Speaker, I think we may as well have the yeas and nays, and I would so move.

The SPEAKER: Is the House ready for the question?

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

Mr. QUINN: Mr. Speaker, I can't go along with that handsome twenty-nine year old Democratic gentleman from Lewiston, Mr. Jalbert, because I have different ideas on the resolve that is now before us, and I would like to express some of the reasons why I can't go along with him.

The election date on the second Monday in September brings us a time of the year when generally our weather is good, very much like today. That is not always true on the second Monday in November. Frequently we have unexpected heavy snow fall at that time of the year at a time when the trucks and plows are not ready to take care of the winter plowing, and makes roads inaccessible. Further than that by the second Monday in September most of the summer people that are away from their homes because of summer vacations have returned to their homes. They usually return about Labor Day. That is the week before the state election because the schools all start within a day or two, the local schools, within a day or two of Labor Day. On the other hand, those students who are in college have not returned to college by the second Monday in September, and those who are eligible to vote have an opportunity to vote before returning to college. On the other hand, they're at college on the second Monday in November, and that

opportunity is not available to them unless they exercise their rights by absentee ballots. Further than that, many of our residents, particularly older residents, leave for the south early in the fall to spend the winter months in the southern climate. They will not have done so by the second Monday in September, and they too will be able to go to the polls and vote before going to the South land whereas they might overlook getting an absentee ballot if they had gone by the second Monday in November.

By having our election the second Monday in September, we get a national-wide coverage of newspapers and magazines as to our election which is most valuable to the State of Maine. If we had our election in November, we would also be one of the others that ran. We would be lost in the publicity given to local elections all over the country in the other states. By having our election in September, that election is publicized all over the country. I want to refer to an editorial which appeared in one of the leading, or the leading newspaper in the state, and you know what newspaper that is, and it is to this effect. The title is "A Tradition Worth Keeping"—"To those members of the Legislature who are inclined to favor a constitutional change which would shift Maine State election from September to November, please think again. Such a change would break the tradition, a tradition that has brought Maine a great deal of agreeable fame and some influence in the national elections. Granted that as Maine goes so goes the nation doesn't hold true, the fact remains that Maine's unique September voting is closely watched by the nation. Political leaders and commentators are seeking straws in the wind. The party that makes an extraordinarily good showing in Maine triumphs and trumpets the news across the continent in the final weeks of the national campaign. The party that does poorly on the other hand is roused to run scared. Thus, Maine plays a role far out of proportion to its population size, which amounts to about 170th part of the nation's population. An annual publicity appropriation of one million dollars couldn't buy the

attention that the September election brings to the state. Shift the date to November, and Maine will be relegated to political oblivion."

Further than that I favor the September election for our Maine election because of our issues, our state issues. In November, our issues are national issues and never the twain should meet. There is no connection between them. They should be kept separate. We hold our primaries for our state election in June. We nominate our candidates and, certainly, the time between the primaries in June and September is a long enough period of time for any kind of campaigning. By the time September comes, people get sick and tired of hearing political talks on the radio and TV. They'd all lose their effectiveness if it is continued to November. And in a presidential year, the issues shouldn't be mixed up. They should be kept clear cut and distinct, and the only way you can do that is to have the two separate periods of election. On this particular resolve I found no general demand for a change. I found no reaction from my constituents; no request that I support this matter one way or the other, but was left to use my best judgment, and I base that judgment on the reasons that I have just given to you. Therefore, I hope that when the time comes to vote, you will see the light and continue September elections in Maine.

The SPEAKER: The Chair would remind the gentleman that he has spoken twice to the motion.

Mr. JALBERT of Lewiston: Mr. Speaker, did I not speak in question the second time?

The SPEAKER: The Chair is corrected, I believe you are right.

Mr. JALBERT: Mr. Speaker, I know that the hour is getting on and I am sorry to have to take issue with my good friend, the gentleman from Bangor, Mr. Quinn. I would like to submit that it is not a fact that possibly the publicity Maine would get if we did change the election date for that one day would be worth a great deal of money. Concerning the interest, back a few years ago I sent out some petitions and I got back some fifty thousand names, all signing the petitions that they wished to change.

Bear in mind that this is only a referendum question. In so far as the statement that we should keep the presidential year separate, by that same token then, should we elect our United States Senators and Congressmen separately? In so far as the primary date is concerned, we would not have, we could very easily change the date of the primary. We would not have to do by amending the Constitution.

The SPEAKER: Is the House ready for the question?

The question before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that Resolve Proposing and Amendment to the Constitution Changing the Date of the General Election, House Paper 66, Legislative Document 93, shall be finally passed. This being a constitutional change it requires the approval of two-thirds of the House. The gentleman from Bridgton, Mr. Haughn, has requested a roll call.

Will those who desire a roll call please rise and remain standing until the monitors have made and returned the count.

Obviously more than one-fifth of the House having expressed their desire for a roll call the roll call is ordered.

Those who favor the final passage of Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election will say yes when their name is called; those who oppose the final passage of this Resolve will say no. The Clerk will call the roll.

ROLL CALL

YEA — Andrews, Babineau, Bean, Winterport; Beane, Augusta; Beyer, Blanchard, Broderick, Browne, Bangor; Carey, Caswell, Cole, Cormier, Cote, Couture, Bath; Couture, Lewiston; Coyne, Cyr, Davis, Westbrook; Denbow, Desmarais, Dostie, Dudley, Dumais, Duquette, Earles, Elwell, Emmons, Ervin, Farmer, Frazier, Frost, Fuller, Gallant, Hanscomb, Hanson, Harriman, Harrington, Harris, Hatch, Heald, Hendricks, Hendsbee, Hersey, Hickey, Hilton, Hughes, Jacques, Jalbert, Johnson, Jones, Karkos, Kelly, Kinch, LaCasce, Lane, Latno, Letourneau, Mann, Mathieson, Maxwell, Maynard, Miller, Morway, Nadeau, Needham, Pierce, Plante,

Porell, Prue, Rancourt, Rankin, Rollins, Ross, Bath; Ross, Brownville; Rowe, Madawaska; Roy, Saunders, Shaw, Shepard, Smith, Portland; Stanley, Storm, Tevanian, Thackeray, Totman, Vaughan, Wade, Walker, Walsh, Walter, Warren, Wheaton, Whiting.

NAY — Allen, Anthoine, Bartlett, Besse, Bragdon, Brewer, Brockway, Bruce, Burnham, Call, Carter, Etna; Carter, Newport; Carville, Childs, Christie, Crockett, Curtis, Davis, Calais; Day, Edgerly, Emerson, Emery, Flynn, Foss, Graves, Hancock, Hatfield, Hathaway, Haughn, Hutchinson, Jack, Jewell, Knapp, Leathers, Libby, Lindsay, Morrill, Quinn, Rich, Roberts, Rowe, Limerick; Sanborn, Smith, Falmouth; Tarbox, Turner, Webber, Williams, Winchenpaw, Wood.

ABSENT — Baird, Brewster, Brown, Ellsworth; Edwards, Higgins, Hoyt, Stilphen, Violette.

Yes: 93, No: 49, Absent: 8.

The SPEAKER: Ninety - three having voted in the affirmative, forty-nine in the negative, with eight absentees the necessary two-thirds has not been acquired and the motion does not prevail.

Sent to the Senate.

The gentleman from Lewiston, Mr. Jalbert, was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: I would like to thank all the members who voted with me, I would like to thank all the members who voted against me. I now will the change of election date to any member of the House for the next session. I have had it.

The gentleman from Brunswick, Mr. Walsh, was granted unanimous consent to address the House.

Mr. WALSH: Mr. Speaker and Members of the House: If it will make my colleague, the gentleman from Lewiston, Mr. Jalbert, feel any better, I think it might be apropos to read the words of one of our truly great Americans, who happened to be a Republican, Theodore Roosevelt. These are his words. "It is not the critic who counts, and not the man who points out where the strong man stumbled, nor where the

doer of deeds could have done them better, the credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood, who tries and comes short again and again, who knows the great enthusiasms, the great devotions and spends himself on a worthy cause, who in the end at best knows the triumph of high achievement, and at the worst, if he fails, at least fails while dying greatly so that his place will never be with those cold and timid souls who know neither victory nor defeat."

Constitutional Amendment

Resolve Proposing an Amendment to the Constitution to Provide for Election of Members of the Executive Council (S. P. 95) (L. D. 225)

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

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

Mr. HAUGHN: Mr. Speaker and Members of the House: Knowing that this is an important measure too, but to expedite the thinking and feelings of a good many I would now move for the indefinite postponement of this Resolve and all accompanying papers.

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

Mr. CHILDS: Mr. Speaker, through the Chair I would like to inquire of the gentleman from Bridgton, Mr. Haughn, if he is aware of the fact that where a motion for indefinite postponement is made it makes a difference only of a majority, and even though the majority is not maintained it will still be necessary then to vote on the passage, and at that time the two-thirds will be necessary—it just could mean the taking of one additional vote.

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

Mr. HAUGHN: Mr. Speaker, I now withdraw my motion for indefinite postponement, and when the vote is taken I move it be taken by yeas and nays.

The SPEAKER: The Chair understands the gentleman from Bridg-

ton, Mr. Haughn, withdraws his motion for indefinite postponement.

The question before the House is the final passage of Resolve Proposing an Amendment to the Constitution to Provide for Election of Members of the Executive Council. A roll call has been requested.

Will those who desire a roll call please rise and remain standing until the monitors have made and returned the count.

Obviously more than one-fifth having arisen a roll call is ordered. The question before the House is the final passage of Resolve Proposing an Amendment to the Constitution to Provide for Election of Members of the Executive Council. Those who favor the final passage of this Resolve will say yes when their name is called; those who oppose the final passage will say no.

The Clerk will call the roll.

ROLL CALL

YEA—Andrews, Babineau, Beane, Augusta; Broderick, Carey, Cormier, Cote, Couture, Bath; Couture, Lewiston; Coyne, Cyr, Davis, Westbrook; Denbow, Desmarais, Dostie, Dudley, Dumais, Duquette, Elwell, Emmons, Frazier, Frost, Gallant, Hancock, Harrington, Harris, Hendricks, Hendsbee, Hersey, Hickey, Hilton, Jacques, Jalbert, Johnson, Karkos, Kelly, Kinch, Lane, Latno, Letourneau, Maynard, Miller, Morway, Nadeau, Plante, Porell, Prue, Rancourt, Rollins, Rowe, Madawaska; Roy, Saunders, Shaw, Smith, Portland; Tevanian, Thackeray, Walsh, Warren.

NAY—Allen, Anthoine, Baird, Bartlett, Bean, Winterport; Besse, Beyer, Blanchard, Bragdon, Brewer, Brewster, Brockway, Browne, Bangor; Bruce, Burnham, Call, Carter, Etna; Carter, Newport; Carville, Caswell, Childs, Christie, Cole, Crockett, Curtis, Davis, Calais; Day, Earles, Edgerly, Emerson, Emery, Ervin, Farmer, Flynn, Foss, Fuller, Graves, Hanscomb, Hanson, Harriman, Hatch, Hatfield, Hathaway, Haughn, Heald, Higgins, Hughes, Hutchinson, Jack, Jewell, Jones, Knapp, LaCasce, Leathers, Libby, Lindsay, Mann, Mathieson, Maxwell, Morrill, Needham, Pierce, Quinn, Rankin, Rich,

Roberts, Ross, Bath; Ross, Brownville; Rowe, Limerick; Sanborn, Shepard, Smith, Falmouth; Stanley, Stilphen, Storm, Tarbox, Totman, Turner, Vaughan, Wade, Walker, Walter, Webber, Wheaton, Whiting, Williams, Winchenpaw, Wood.

ABSENT—Brown, Ellsworth; Edwards, Hoyt, Violette.

Yes 58, No 88, Absent 4.

The SPEAKER: Fifty-eight having voted in the affirmative, eighty-eight having voted in the negative with four absentees, the motion does not prevail. The amendment fails of passage. It will be sent to the Senate.

Passed to Be Enacted

An Act Directing Review of Settlement Laws (S. P. 505) (L. D. 1418)

An Act Relative to Salaries and Clerk Hire of Municipal Courts (S. P. 547) (L. D. 1537)

An Act Authorizing Governor and Council to Sell or Lease Certain State Property (S. P. 560) (L. D. 1561)

An Act Revising the Maine Mining Law (S. P. 561) (L. D. 1563)

An Act to Increase the Salaries of the Judge and Recorder of the South Portland Municipal Court (H. P. 150) (L. D. 188)

An Act relating to Payment of Fees of Auburn Municipal Court (H. P. 574) (L. D. 884)

An Act relating to Payment of Expenses of Auburn Municipal Court (H. P. 575) (L. D. 885)

An Act relating to Retirement of Employee Option under Maine State Retirement System (H. P. 617) (L. D. 864)

An Act relating to the Operation of Bicycles (H. P. 1062) (L. D. 1517)

Finally Passed

Resolve to Reimburse Town of Caribou for Aid to Alphee Ouellette (H. P. 681) (L. D. 970)

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

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair lays before the House the first tabled and today

assigned matter, Bill "An Act Prohibiting Dogs Running at Large", House Paper 601, Legislative Document 848, tabled on May 9 by the gentleman from Raymond, Mr. Edwards, pending third reading.

On motion of the gentleman from Orono, Mr. Needham, the Bill was retabled pending third reading and specially assigned for Friday, May 17.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the second tabled and today assigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Public Utilities on Bill "An Act to Incorporate the Rangeley and Eustis Light and Power District", House Paper 907, Legislative Document 1293, tabled on May 13 by the gentleman from Belfast, Mr. Rollins, pending acceptance of the report.

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

Mr. CARVILLE: Mr. Speaker and Members of the House: I would like to thank the gentleman from Belfast, Mr. Rollins, for tabling this while I was absent, and I now move that we accept the "Ought to pass" Report, and I have an amendment.

The SPEAKER: The question before the House is the motion of the gentleman from Eustis, Mr. Carville, that the House accept the "Ought to pass" Report as amended by Committee Amendment "A" on Bill "An Act to Incorporate the Rangeley and Eustis Light and Power District". Is this the pleasure of the House?

The motion prevailed and the Bill was given its first and second readings.

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

COMMITTEE AMENDMENT "A" to H. P. 907, L. D. 1293, Bill, "An Act to Incorporate the Rangeley and Eustis Light and Power Company."

Amend said Bill by inserting in the next to last line of "Sec. 1" after the words "Coplin Plantation" the following:

'Adam Township, Letter E Township'

Committee Amendment A was adopted.

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

Mr. CARVILLE: Mr. Speaker, I present House Amendment "A", filing 382, and move its adoption.

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

HOUSE AMENDMENT "A" to H. P. 907, L. D. 1293, Bill, "An Act to Incorporate the Rangeley and Eustis Light and Power District."

Amend said Bill in "Sec. 4" by striking out the 2nd sentence and inserting in place thereof the following sentence: "Two trustees shall be elected by the inhabitants of the town of Rangeley and 2 trustees by the town of Eustis."

Further amend said Bill in "Sec. 5" by striking out the underlined word "appointed" in the headnote and inserting in place thereof the underlined word "elected" and by striking out the first 4 sentences of said section and inserting in place thereof the following: "The first board of trustees shall be elected within 90 days after the meeting of the voters of said district to accept this act. One of the 2 trustees elected by the inhabitants of the town of Rangeley shall serve until the 4th annual meeting of the district and one until the 2nd annual meeting of the district; one of the 2 trustees elected by the inhabitants of the town of Eustis shall serve until the 3rd annual meeting of the district and one until the first annual meeting. Thereafter, each year one member shall be elected to serve for the term of 4 years by the inhabitants of the town, the term of whose representative is expiring. In case a vacancy occurs in the board of trustees who are elected, the unexpired term shall be filled by an appointment of the municipal officers of the town in which the trustee was a resident."

Further amend said Bill in the "Referendum" section, being the last section of said Bill, by striking out all of the first sentence of said section which follows the word "purpose" in the 3rd line thereof and inserting in place thereof the following:

"; provided, however, that neither of said meetings shall be called and held until such time as the Rural Electrification Administration of the United States Department of Agriculture shall have made a full and complete engineering survey and economic study of the feasibility of said project, and the results of said study and survey shall have been made available to the legal voters of said towns."

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

The SPEAKER: Under Orders of the Day the Chair now lays before the House the third tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Welfare on Bill "An Act relating to Requisite for Old Age Assistance", House Paper 83, Legislative Document 109, tabled on May 13 by the gentleman from Portland, Mr. Miller, pending the motion of the gentleman from Sherman, Mr. Storm, for indefinite postponement.

The Chair recognizes the gentleman from Sherman, Mr. Storm.

Mr. STORM: Mr. Speaker, solely for the purpose of allowing the gentleman from Eagle Lake, Mr. Gallant to present an amendment, and not because I have had a change of heart in the last few days, I am going to ask that my motion be withdrawn.

The SPEAKER: The Chair understands the gentleman from Sherman, Mr. Storm, has withdrawn his motion to indefinitely postpone the Report.

The Chair recognizes the gentleman from Eagle Lake, Mr. Gallant.

Mr. GALLANT: Mr. Speaker and Members of the House: I move to substitute the Bill for the Report.

The SPEAKER: The question before the House is the motion of the gentleman from Eagle Lake, Mr. Gallant, that the House substitute the Bill for the "Ought not to pass" Report. Is this the pleasure of the House?

The motion prevailed and the Bill was given its first and second readings.

The SPEAKER: The Chair now recognizes the gentleman from Eagle Lake, Mr. Gallant.

Mr. GALLANT: Mr. Speaker and Members of the House: I will present an amendment and ask to speak briefly on it.

The SPEAKER: The gentleman from Eagle Lake, Mr. Gallant, offers House Amendment "A" and moves its adoption.

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

HOUSE AMENDMENT "A" to H. P. 83, L. D. 109, Bill, "An Act Relating to Requisites for Old Age Assistance."

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

"R. S., c. 25, § 283- sub-§ VI, amended. Subsection VI of section 283 of chapter 25 of the Revised Statutes is hereby amended to read as follows:

'VI. Has no child or children residing in this State and able to support him;. It is the intent of the Legislature that a child of the applicant shall not be considered able to support him if said child has 5 or more children.'"

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Gallant.

Mr. GALLANT: Mr. Speaker and Members of the House: I have introduced this bill in the belief that it would give relief to those families who have children and are recipients of our welfare programs. The majority of these families have a difficult time to make both ends meet. In a great many cases a son or daughter who has five or more children to care for will be asked to also support either their mother or father or both. In a great many cases these people are willing to care for their parents but due to their own problems and their low incomes they are financially unable to do so. It then becomes almost cruel and also a fact that our old folks are the ones who suffer through the restrictions of this program.

I now move the adoption of this amendment.

The SPEAKER: The question before the House is the motion of the gentleman from Eagle Lake, Mr. Gallant, that the House adopt House Amendment "A"? Is this the pleasure of the House?

The motion prevailed, House Amendment "A" was adopted and the Bill was assigned for third reading tomorrow.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the fourth tabled and to-day assigned matter, Bill "An Act relating to the Unfair Sales Act", Senate Paper 555, Legislative Document 155, tabled on May 14 by the gentleman from Cumberland, Mr. Call, pending the adoption of House Amendment "A", and the Chair recognizes that gentleman.

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: I want to thank you for giving me permission to let this lay on the table until today. I was thoroughly surprised how many were so vitally interested in this, and we have talked it over very carefully, and we have decided to let the amendment go along to the other branch, and one of the members is going to get a ruling from a high court judge, and when it comes back as an enactor I assure you we will keep you informed of it. I now move the adoption of House Amendment "A".

The SPEAKER: The question before the House is the adoption of House Amendment "A".

The Clerk will read House Amendment "A".

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

HOUSE AMENDMENT "A" to S. P. 555, L. D. 1551, Bill, "An Act Relating to the Unfair Sales Act."

Amend said Bill in that part designated "Sec. 2" of section 1 by striking out all of the 1st sentence and inserting in place thereof the following sentence:

'Any It is hereby declared unlawful for any retailer who, with intent to injure competitors or destroy competition, advertises, offers to sell or sells to advertise, offer to sell or sell at retail any item of merchandise at less than cost to the retailer, or for any wholesaler who, with intent as aforesaid, advertises, offers to sell or sells to advertise, offer to sell or sell at wholesale any item of merchandise at less than cost to the wholesaler shall be punished by a fine of not more than \$500.'

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

The SPEAKER: Under Orders of the Day the Chair now lays before the House the fifth tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Education on Bill "An Act Creating a Salary Grant for Teachers", House Paper 964, Legislative Document 1436, tabled on May 14 by the gentleman from Madawaska, Mr. Rowe, pending acceptance of either report, and the Chair recognizes that gentleman.

Mr. ROWE: Mr. Speaker, Members of the House: I'm going to move that the "Ought not to pass" report be accepted, and I would like to speak briefly to the motion.

The SPEAKER: The gentleman may proceed.

Mr. ROWE: Mr. Speaker, I think before dismissing this item, I think I should probably in capsule form try to give you some of my thinking as to why I filed this particular bill. Probably I would be able to best summarize it by taking a quotation from Dr. Hill, the Commissioner of Education, and which in a recent speech at Gorham State Normal School on the fifth of May, he made these comments. He says: "Number one", he said, "teachers do not reach their peak efficiency in most cases until they have had a number of years of experience." Point number two, he said: "This training and these skills are not obtained without considerable cost on the part of the state and the municipalities that have employed beginning teachers." Point number three, he said "that children in our schools are also losers when teachers leave their professions." In other words in point number one he is saying, and this is my estimate, that probably at the end of five years of teaching experience, a teacher is ready to embark upon his or her most fruitful years in the profession. Point number two that he makes is that the community when it loses a professionally trained and qualified teacher, that it's losing its initial investment in that

teacher over a five-year period. And point number three, he indicates the intangible cost to the students by lowering the quality of education which they receive.

For the year 1956, I examined the cost to the state of number one, teachers who leave the state; teachers who transfer to other jobs; three, cost to the state of training teachers; four, cost to the state of training teachers who enter business. And I find that the total investment costs both to the state and to the municipalities runs into a figure of over four million dollars. This is cost in hard, cold cash money.

The number three cost item to our students and to our children cannot be estimated.

Since the money bill has been withdrawn this morning, I feel that it's in order to move the majority "Ought not to pass" report on this bill, but I feel at the same time I am not withdrawing my support of this kind of legislation because I believe it is good legislation. I believe that the seed has been planted. I believe that this is the most neglected area of education in our state, and I do wish to commend the gentleman from Portland, Mr. Maynard and his sense of values by supporting this bill and giving it his one vote of "Ought to pass."

The SPEAKER: The question before the House is the motion of the gentleman from Madawaska, Mr. Rowe, that the House accept the majority "Ought not to pass" report on Bill "An Act Creating a Salary Grant for Teachers." Is this the pleasure of the House?

The motion prevailed and the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the sixth tabled and today assigned matter, House Order relating to consideration of the Appropriation Bill, tabled on May 14 by the gentleman from Bangor, Mr. Totman, pending passage, and the Chair recognizes that gentleman.

Mr. TOTMAN: Mr. Speaker, Members of the House: We have before us a rather unusual situation whereby I introduced an order, although

I am not at this particular time for special reasons in favor of the order.

Generally speaking, I believe that it is right to attempt to examine documents, particularly budgets, as close as possible. I was in favor of that position the last time this particular order was used back in 1951. However, when this consideration of the appropriation bill was made in '51, I believe it was in the month of March. Since 1951, the 95th session, we not only have a balanced budget, but we have a supplemental budget. This order calls for going through the budget item by item, paragraph by paragraph. My main point is at this late date, the second or third week before adjournment, to suggest going through the balanced budget in that manner will simply entail a great deal of time, and if past experience is any criterion, it will still not accomplish a great deal. It is a possibility, but it is very unlikely.

At this time, and hoping that the members of the Appropriation Committee who are present in the House, will express their opinions of the bill because the task of explaining would fall to them, I would move that the order be indefinitely postponed.

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

Mr. BEAN: Mr. Speaker and Members of the House: Since the second Tuesday in January your Appropriations Committee has been attempting to solve this matter of a balanced budget which we now have before us, and I sincerely hope that we aren't going to hold up adjournment of this legislature at this late hour by attempting to discuss this thing item by item because I can assure you that it's no small job.

If there are any questions on the part of any members of the House relative to any item in the budget, I am sure that every member of the Appropriations Committee would be glad to counsel with those people who have those questions, and I think we could come to a better understanding than we could to try to break the thing open here on the floor of the House and discuss it in general. I, therefore, hope

that the order does not receive passage.

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

Mr. PIERCE: Mr. Speaker as one of those who was a member in this House in '51, to refresh my memory I did a very small amount of research last evening. I do recall that it took us either seven or nine days, legislative days when we did go through this routine of analyzing item by item the general budget. That was done under orders of the day because we were unable to complete it in one day, it would be on the first order of business of the following day, and as I say, it took approximately either seven or nine days. It accomplished absolutely nothing, and I sincerely hope that the motion to indefinitely postpone does prevail.

The SPEAKER: Is the House ready for the question?

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

Mr. CHILDS: Mr. Speaker, I would also like to point out that the members of the House at this time have the legislative document before them. They can go over it themselves and find any particular thing which they are interested in, and bring it at that time before the floor of the House. If we actually try to go over this item by item, I feel quite sure that we will end up being here probably three more weeks. I hope this House will go along with the gentleman from Bangor, Mr. Totman, in the indefinite postponement of this order.

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

Mr. FULLER: Mr. Speaker and Members of the House: I want to concur heartily with the motion before the House. I was here in 1951 and I am a believer that we should go over the appropriation document item by item, but we did that in 1951 and we started in March sometime, and we were further afield when we got through than we were when we started, and some of you who were here know that the bill finally in desperation was referred to the Committee on Ways and Means, and if my memory serves me right, we went back to the origi-

nal bill and adopted it. I am predicting that if we went through this document item by item that we would be further afield than we are with the bill as it now stands. I am one of those that have faith in our Appropriations Committee. I think it must be so, and as the gentleman from Portland, Mr. Childs, has said, if any member finds some particular point in the document that he disagrees with or that he'd like to talk over, I am sure that any of the gentlemen on the Appropriations Committee would be glad to answer questions. I would be perfectly glad to have it gone through item by item, but I am sure that it would serve no useful purpose, and I hope the motion does prevail.

The SPEAKER: Is the House ready for the question?

The question before the House is the motion of the gentleman from Bangor, Mr. Totman, that House Order relating to consideration of the Appropriation Bill be indefinitely postponed.

Will those who favor the indefinite postponement of this Order please say aye; those opposed, no.

A viva voce vote being taken the motion prevailed and the Order was indefinitely postponed.

The SPEAKER: At this time the Chair will avail itself of the authority granted to it by House Order in relation to the tabled and unassigned items. But before acting pursuant to that order the Chair will invite any member of the House to take off the table any item that he or she may choose at this time.

On motion of the gentleman from Bridgton, Mr. Haughn, the House voted to take from the table the thirty-first tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Towns and Counties on Bill "An Act Authorizing Bond Issue for Cumberland County for Capital Expenditures for Civil Defense", House Paper 333, Legislative Document 418, tabled on April 18 by that gentleman pending the motion of the gentleman from South Portland, Mr. Earles, to substitute the Bill for the Report.

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

Mr. EARLES: Mr. Speaker, with

respect to this item, following the tabling of the L. D. to which it refers, the Cumberland delegation held a caucus and invited thereto the members of the Cumberland County Commissioners, so they had a second day in court. As a result of that I understand that the delegation is uniformly opposed to this, and in view of the fact that I can think of no more gracious and kindly group to preside over the funeral of this L. D., I now withdraw my motion to substitute the Bill for the Report.

The SPEAKER: The Chair understands the gentleman from South Portland, Mr. Earles, withdraws his motion to substitute the Bill for the Report.

Mr. EARLES: I now move the acceptance of the "Ought not to pass" Report of the Committee.

The SPEAKER: The question now before the House is the motion of the gentleman from South Portland, Mr. Earles, that the House accept the "Ought not to pass" Report. Is this the pleasure of the House?

The motion prevailed and the "Ought not to pass" Report was accepted and sent up for concurrence.

On motion of the gentleman from Bridgton, Mr. Haughn, the House voted to take from the table the twelfth tabled and unassigned matter, An Act relating to Authority of Public Utilities Commission over Construction of Water Supply Systems, Senate Paper 285, Legislative Document 744, tabled on April 5 by that gentleman pending passage to be enacted.

Thereupon, on motion of the same gentleman the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

On motion of the gentleman from Wiscasset, Mr. Farmer, the House voted to take from the table the twenty-sixth tabled and unassigned matter, House Divided Report, Report "A" reporting "Ought to pass" in same New Draft, House Paper 1036, Legislative Document 1467, and Report "B" reporting "Ought not to pass" on Bill "An Act relating to Property Tax Exemption for Benevolent and Charitable Institutions", House Paper 400, Legislative Document 530, tabled on April 17

by that gentleman pending acceptance of either report.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. FARMER: Mr. Speaker and Members of the House: I have an amendment here that has been approved by both the House and the Senate Chairmen who originally signed the "Ought not to pass" Report in this Bill. And if this Bill is allowed to have its first and second readings I will offer this amendment. I will now move that the House adopt Report "A", the "Ought to pass" Report.

The SPEAKER: The question before the House is the motion of the gentleman from Wiscasset, Mr. Farmer, that the House adopt Report "A" reporting "Ought to pass" in New Draft. Is this the pleasure of the House?

The motion prevailed and the New Draft was given its first and second readings.

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

Mr. FARMER: Mr. Speaker, I would now like to offer House Amendment "A" to L. D. 1467 and move its passage.

The SPEAKER: The gentleman from Wiscasset, Mr. Farmer, now offers House Amendment "A" and moves its adoption.

The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to H. P. 1036, L. D. 1467, Bill, "An Act Relating to Property Tax Exemption for Benevolent and Charitable Institutions."

Amend said Bill by striking out in the 9th line thereof, the underlined figure "\$10" and inserting in place thereof, the underlined figure "\$15"

House Amendment "A" was adopted and the New Draft assigned for third reading the next legislative day.

On motion of the gentleman from Bangor, Mr. Quinn, the House voted to take from the table the first tabled and unassigned matter, House Report "Ought to pass" of the Committee on State Government

on Bill "An Act relating to State Owned Cars for Supervising State Fire Inspectors", House Paper 26, Legislative Document 31, tabled on March 19 by that gentleman pending acceptance of the Report.

Thereupon, the "Ought to pass" Report was accepted and the Bill given its first and second readings.

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

Mr. QUINN: Mr. Speaker and Members of the House: I offer an amendment, House Amendment "A", which would take care of a situation involved in the State Department, it is filing 404, and move its adoption.

The SPEAKER: The gentleman from Bangor, Mr. Quinn, 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 H. P. 26, L. D. 31, Bill, "An Act Relating to State Owned Cars for Supervising State Fire Inspectors."

Amend said Bill by striking out the 7th and 8th lines and inserting in place thereof the following:

'of Sea and Shore Fisheries, supervising state fire inspectors, inspectors in the Motor Vehicle Division of the Secretary the Department of State, supervisors'

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

Mr. TOTMAN: Mr. Speaker and Members of the House: Inasmuch as this Bill was reported out of the Committee on State Government, of which I am a member, without this amendment, I certainly think the House is entitled to an explanation as to why the entire Department of State is going to be included rather than just the inspectors. I would like to have the amendment explained please.

The SPEAKER: The gentleman from Bangor, Mr. Totman, has addressed a request through the Chair to anyone who might care to answer as to an explanation of House Amendment "A".

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

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: The Secretary of State informs me this originally provided for inspectors, and they no longer have inspectors in the Department, and they desire to have this amended to include the Department in the use of these cars.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: That answers the question but I would certainly raise a question through the Chair to the gentleman, why does the Department ask for cars when they did not appear before the Committee inasmuch as the Bill was designed to cover supervising state fire inspectors? Quite frankly it appears that the Department is attempting to get in under the wire to provide state cars for the entire department. I don't wish to prolong debate on this issue but it certainly is a twist in the original intent of the Bill. If the gentleman can answer that question for me I would certainly like to hear the answer.

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

Mr. QUINN: Mr. Speaker, there were several bills here involving this same section of the Statute relative to the departments that may use state cars, and this amendment might have been put on or might have been attempted to be put on to any of them because it is the same paragraph of the statute relative to the department use of cars for transportation. This one and then there is another one in item five and there are two other ones further along on the table. I didn't see any particular reason why it shouldn't be on this one any more than the others. And I do recall being before that Committee at the the time some of these bills were read, and hearing the Secretary of State, Mr. Goss, asking that that be amended at that time.

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

Mr. TOTMAN: Mr. Speaker, in order that I may check with the Secretary of State's Department I ask that this be tabled until later in the day.

The SPEAKER: The question before the House is the motion of the gentleman from Bangor, Mr. Totman, that with respect to Bill "An Act relating to State Owned Cars for Supervising State Fire Inspectors, House Paper 26, Legislative Document 31, this item be tabled until later in the day pending adoption of House Amendment "A". Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

The SPEAKER: The Chair requests the Sergeant-at-Arms to escort the gentleman from Winterport, Mr. Bean, to the rostrum for the purpose of presiding as Speaker pro tem.

Thereupon, Mr. Bean assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Edgar retired from the Hall.

On motion of the gentleman from Portland, Mr. Childs, the House voted to take from the table the eleventh tabled and unassigned matter, Bill "An Act relating to Obstructions in Windows of Liquor Licensed Premises", House Paper 430, Legislative Document 606, tabled on April 5 by that gentleman pending passage to be engrossed.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lee, Mr. Frazier.

Mr. FRAZIER: Mr. Speaker, I now offer House Amendment "A", filing number 415 and move that it be adopted.

The SPEAKER pro tem: The gentleman from Lee, Mr. Frazier, offers House Amendment "A".

The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to H. P. 430, L. D. 606, Bill, "An Act Relating to Obstructions in Windows of Liquor Licensed Premises."

Amend said Bill by striking out the Title and inserting in place thereof the following Title: 'An Act Relating to Obstructions in Windows

of Malt Liquor Licensed Restaurants.

Further amend said Bill in the 4th line by inserting after the underlined word "licensee" the underlined words 'of a malt liquor licensed restaurant'

The SPEAKER pro tem: The Chair recognizes the gentleman from Carthage, Mr. Hutchinson.

Mr. HUTCHINSON: Mr. Speaker, I would like to inquire from the gentleman from Lee, Mr. Frazier, if this amendment would not destroy the effectiveness of the bill except as it refers to, in other words, so it would apply only to restaurants.

The SPEAKER pro tem: The gentleman from Carthage, Mr. Hutchinson, has asked a question through the Chair to the gentleman from Lee, Mr. Frazier, who may answer if he sees fit.

Mr. FRAZIER: Mr. Speaker, I would agree that it would remove hotels particularly because there seems to be a problem in writing into the bill any wording that would properly take care of hotels and yet would permit them to stay in business. So as it is written, it does now apply only to malt liquor licensed restaurants. Hotels and other establishments are omitted.

The SPEAKER pro tem: The Chair recognizes the gentleman from Carthage, Mr. Hutchinson.

Mr. HUTCHINSON: Mr. Speaker, I think this bill has been practically killed by this amendment in that there's a very small portion of the retail malt liquor establishments that would be classified as restaurants, and I think the effectiveness of the bill is hereby reduced approximately ninety-nine per cent. I move the indefinite postponement of this amendment.

The SPEAKER pro tem: The question before the House now is the motion of the gentleman from Carthage, Mr. Hutchinson, for the indefinite postponement of this amendment.

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

Mr. CALL: Mr. Speaker, Ladies and Gentlemen of the House: I feel pretty sure that the remarks of the gentleman, as somebody else may substantiate me, with the figures.

Perhaps Mr. Pierce is well acquainted with this, but the figure he gave ninety per cent is entirely wrong because the malt beverage business as far as serving on the premises in restaurants is very large in the State of Maine. That's a question I want to make to the gentleman, and I am very sorry he asked for the indefinite postponement of this bill on that basis. There is a tremendous amount of outlets in the state that are known as restaurants. I don't know the exact figure, but I read at one time that it was very large.

The SPEAKER pro tem: The Chair recognizes the gentleman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker, Members of the House: I would like to concur with the gentleman from Cumberland, Mr. Call, in saying that there are many places. We need only to look around this capital city to see a great many of them, and I feel that it has not to such a great degree made the bill of no force or value. I believe that this bill is still valuable with this amendment, and I hope that the motion to indefinitely postpone does not prevail.

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

Mr. BRODERICK: Mr. Speaker, if I understand this bill correctly, it places a restriction on any obstruction on windows of restaurants which serve malt liquor. I am not quite sure what the definition of obstruction would be under the terms of this bill. It could mean anything from venetian blinds to a menu. I would now like to move the indefinite postponement of the bill and accompanying papers.

The SPEAKER pro tem: The Chair would inform the gentleman from Portland, Mr. Broderick, that the pending motion is the motion of the gentleman from Carthage, Mr. Hutchinson, for the indefinite postponement of the amendment.

The Chair recognizes the gentleman from Kittery, Mrs. Burnham.

Mrs. BURNHAM: Mr. Speaker and Members of the House: I agree with the gentleman from Portland, Mr. Broderick, that it could be venetian blinds. The object of this bill is to

provide a chance for people to see just who is in the restaurant. (Laughter) Now that really isn't any joke, because our minors go in to these restaurants, and they invariably go into places where their parents or the officers cannot see them. Now the obstruction can be a theatre placard. I have seen them. If you don't believe me, go down to the places in town that sell malt liquor. Mrs. Christie and I were riding the other night and we just paid attention to those places. There were none of them that you could see who was inside. These bills are designed to protect our minors who often go into those places, and I hope that this amendment will prevail, or the motion to indefinitely postpone does not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lee, Mr. Frazier.

Mr. FRAZIER: Mr. Speaker, I just want to correct the gentlewoman from Kittery, Mrs. Burnham, in one respect. I particularly am not interested in who is in there. I am only interested in what kind of a place it was before I personally went in. That is my main purpose in sponsoring this legislation.

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

Mr. BRODERICK: Mr. Speaker, Members of the House: If I were married, which I am not, and if I had children which I do not, I certainly would not want my children looking into some of these places. I think, if anything, in some of these establishments that I have seen the law should be the opposite than what is called for in this bill. They should be boarded up.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Carthage, Mr. Hutchinson, that the amendment be indefinitely postponed. The Chair recognizes that gentleman.

Mr. HUTCHINSON: Mr. Speaker, in deference to the esteemed ladies, and in fear that this might jeopardize the passage of the bill, I withdraw my motion to indefinitely postpone.

The SPEAKER pro tem: The Chair understands that the gentle-

man has withdraw his motion for indefinite postponement.

The Chair now recognizes the gentleman from Portland, Mr. Broderick.

Mr. BRODERICK: Mr. Speaker, I now move the indefinite postponement of this bill.

The SPEAKER pro tem: The Chair has been informed that the motion is still out of order as there is an amendment pending. Is the House ready for the question?

The question before the House is the adoption of House Amendment "A".

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

Mr. CURTIS: Mr. Speaker, may I inquire if anyone has moved the vote be taken by division? If not, I so move.

The SPEAKER pro tem: The gentleman from Bowdoinham, Mr. Curtis, requests a division.

Is the House ready for the question?

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

A division of the House was had. One hundred having voted in the affirmative and none having voted in the negative House Amendment "A" was adopted.

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

Mr. BRODERICK: Mr. Speaker, I am seriously concerned with this word "obstruction". It escaped definition. I don't know what it refers to, as I said before it could even mean a menu placed in a restaurant window, and I once again move the indefinite postponement of this Bill.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Portland, Mr. Broderick, that this Bill and all accompanying papers be indefinitely postponed.

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

Mr. COUTURE: Mr. Speaker, I move the previous question.

The SPEAKER pro tem: The gentleman from Bath, Mr. Couture, has moved the previous question. In order for the Chair to entertain that

question it will be necessary to get the consent of one-third of the members of the House.

All those in favor of the Chair entertaining the previous question will rise and remain standing until the monitors have made and returned the count.

A sufficient number did not arise.

The SPEAKER pro tem: The Chair rules that one-third of the members not having arisen the previous question is not ordered.

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

Mr. CALL: Mr. Speaker, I move for a division.

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

Mr. CHILDS: Mr. Speaker, I placed this matter upon the table and when I did I said I was putting it there because I was of the opinion that it was an unworkable law. There is no question in my mind that it definitely is an unworkable law. Just what is an obstruction, and who is an obstruction to whom? It might be an obstruction to the gentleman from Portland, Mr. Tevanian, but then again it may not be an obstruction to the gentleman from Buxton, Mr. Bruce. In other words there could be something placed in the window where Mr. Tevanian could not see in, but Mr. Bruce would have no trouble at all seeing in, so you run into such situations as that. Number two, I believe that it is a bad bill because I know the proponents have a definite purpose and to take care of so-called joints. Yet in the meantime you are working a tremendous hardship on a good many legitimate restaurants, like Valley's in Portland have venetian blinds in their windows, and in the summer time when it's hot out and the sun is shining in, a lot of people like to have the blinds down so the sun is not shining right in their face. If we pass such a bill as that, with the venetian blinds down, you now have an obstruction, and that would be a definite obstruction, but in many situations, what are obstructions? So I firmly believe it's an unworkable law and, therefore, I shall now move that this bill, I shall go along with the gentleman from Portland, Mr. Broderick, in having

this bill and its accompanying papers indefinitely postponed.

The SPEAKER pro tem: The question before the House is now the motion of the gentleman from Portland, Mr. Broderick, that the bill be indefinitely postponed.

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

Mr. PIERCE: Mr. Speaker, one of the many reasons I objected to this was because of the question brought up, what is an obstruction? Many of the restaurants will post in their window the menu, roast beef, and so forth. That would be a violation of it if it were down where, and I did check the height of Timothy Murphy as five foot and a quarter. I am six two, It would be obstructing him, and as the gentleman from Portland, Mr. Childs, mentioned, it would not be obstructing my view. It would prevent, shall we say, certain places who might have painted on their windows "steaks—lobsters," it might prevent the placing in the windows of certain signs such as we do in the smaller municipalities, that is: "Bucksport High School plays basketball tonight." It would obstruct, various signs that might be in there. You couldn't put an Easter Lily in there. One of the major reasons is that many of these restaurants will have neon signs saying "Beer sold" or something of that category. This present bill, proposed bill would eliminate those. In order for the people to advertise their beer instead of putting a very nominal sign in the window which is controlled through a rule and regulation, and I believe also by law, they would put a new sign outside hanging out over your streets. That was one of the major reasons, Mr. Chairman, that I opposed this measure. I hope that the measure is indefinitely postponed.

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

Mr. TOTMAN: Mr. Speaker and Gentlemen of the House: It appears to me that there comes a time every session when we on the male side of the fence could probably kill some bill apparently very close to the hearts of the ladies of the House. I sat here with no particular con-

victions or personal experience of the bill, but to hear women stand up in the House and talk about trying to protect the children, and keep the children from being inside these places unseen, it seems to me that their moral intent is very commendable. I think this is one time the men of the House could be just a little bit charitable and allow one of the ladies to table this bill specially assigned for the next day, and give them a last lease on life to try and figure out some way to overcome the objections. I am not going to make the motion, but if a lady would like to make it, I will be very glad to be courteous enough to go along and give them at least one day to try to salvage this bill.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker, I move that this bill be tabled until tomorrow for the purpose which was outlined by our floor leader.

The SPEAKER pro tem: The question now before the House is the motion of the gentlewoman from Presque Isle, Mrs. Christie, that this Bill "An Act relating to Obstructions in Windows of Liquor Licensed Premises", House Paper 430, Legislative Document 606, be tabled and specially assigned for tomorrow, May 16. Is that the pleasure of the House?

The motion prevailed and the Bill was so tabled.

House at Ease

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

Mr. TOTMAN: Mr. Speaker and Members of the House: As we all recognize, the best way to begin on major issues is to begin, and consequently I am directing my remarks to page eleven, item forty-two, the twenty-four million dollar bond issue. Now, you have seen in the past few weeks the procedure followed in an attempt to save both sides of a question unnecessary debate, the suggestion that debate be consolidated on a third reading. This was the action taken on constitutional amendments when it wasn't on the third reading it was made on

the enactment stage. This is the proposal which I would offer for your consideration which I think would expedite our legislation. I have talked to those people who have quite frankly and openly opposed the bond issue, and I believe I can speak honestly and truthfully that they do subscribe to this course of action. If we take this item forty-two and item forty-eight from the table today and give them their first and second readings with the request that we refrain from debate on either side and then join in our debate tomorrow afternoon when these items will be before the House for third reading. I am not suggesting that we suppress debate, I simply say that we will consolidate it and expedite the business of the House. I make this measure as a fair, aboveboard sincere attempt to expedite our day of adjournment and to move the business of the House along. I have cleared it with those who are opposed to the bond issue. I now make the motion that this Bill be removed from the table and given its first and second readings.

The SPEAKER: The gentleman from Bangor, Mr. Totman, has moved that item forty-two, House Report "Ought to pass" in New Draft, House Paper 1056, Legislative Document 1504, under New Title "An Act to Authorize the Issuance of Bonds in the Amount of \$24,000,000 on Behalf of the State of Maine for the Purpose of Building State Highways" of the Committee on Highways on Bill "An Act to Authorize the Issuance of Bonds in the Amount of \$26,000,000 on Behalf of the State of Maine for the Purpose of Building State Highways", House Paper 968, Legislative Document 1368, tabled on April 25 by that gentleman pending acceptance of the Report, be taken from the table. Is this the pleasure of the House?

The motion prevailed and the Committee Report "Ought to pass" in New Draft was accepted and given its first and second readings and assigned for third reading tomorrow.

On motion of the gentleman from Bangor, Mr. Totman, the House voted to take from the table the forty-eighth tabled and unassigned

matter, House Report "Ought to pass" in New Draft under New Title, House Paper 1088, Legislative Document 1575, of the Committee on Transportation on Bill "An Act Increasing registration Fees for Motor Vehicles", House Paper 865, Legislative Document 1227, tabled on May 9 by that gentleman pending acceptance of the Report.

Thereupon, on further motion of the same gentleman the "Ought to pass" in New Draft Report was accepted, given its first and second readings and assigned for third reading tomorrow.

On motion of the gentleman from Bangor, Mr. Quinn, the House voted to take from the table the fifth tabled and unassigned matter, Bill "An Act relating to State Owned Automobiles for Liquor Inspectors", House Paper 793, Legislative Document 1126, tabled on March 28 by that gentleman pending third reading.

The SPEAKER pro tem: The Chair recognizes the gentleman from South Berwick, Mr. Flynn.

Mr. FLYNN: Mr. Speaker, Ladies and Gentlemen: This Bill 1126 pertains to state owned cars for State Liquor Inspectors. In 1933 when the State Liquor Department was set up by an act of Legislature, the State Liquor Inspectors in those days operated state owned cars until the year of 1940. In 1940 on March 1 the state owned cars through an act of Legislature were taken away from the inspectors of the Maine State Liquor Enforcement Division, the reason for this being that it was too expensive an account to the state. At that time all liquor inspectors in the state had to purchase their own cars.

Now, this Bill today involves a lot of the taxpayers money, unjust and uncaused for no good reason. The motive behind this was something that I had in mind three or four weeks ago in reference to the sirens and the two-way radios. They don't need sirens, they don't need two-way radios and they don't need state owned cars. If it was too high a cost for the state in 1940, God knows that it is too much now for the state. And when a man is operating his own car he would take

much better care of it than he would a car that is owned by the state, and I believe that was a proven fact back before 1940. Now, this Bill and all its accompanying papers at this time, and I believe that I am in order, I would make a motion to indefinitely postpone this Bill and all accompanying papers, and at the same time I would request a division of this House.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from South Berwick, Mr. Flynn, that this Bill and its accompanying papers be indefinitely postponed, and the gentleman has requested a division.

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

Mr. CROCKETT: Mr. Speaker, I presented this Bill by request, and I can assure you, ladies and gentlemen, that the gentleman from South Berwick, Mr. Flynn, who just spoke, is more the authority on this Bill than I am, and he should know what he is talking about, and I really believe that he does.

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

Will those in favor of indefinite postponement of Bill "An Act relating to State Owned Automobiles for Liquor Inspectors", House Paper 793, Legislative Document 1126, and all its accompanying papers will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred and seven having voted in the affirmative and none having voted in the negative the Bill with accompanying papers was indefinitely postponed and sent up for concurrence.

On motion of the gentlewoman from Rumford, Miss Cormier, the House voted to take from the table the eighteenth tabled and unassigned matter, Senate Divided Report, Majority Report "Ought to pass" and Minority Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Cupsupic River and Tributaries, Oxford County, Senate Paper 98, Legislative Document 228, tabled on April

10 by that gentlewoman pending acceptance of either report.

On further motion of the same gentlewoman the Minority "Ought not to pass" Report was accepted in concurrence.

On motion of the gentleman from Bridgton, Mr. Haughn, the House voted to take from the table the eighth tabled and unassigned matter, Senate Report "Ought to pass" of the Committee on State Government on Bill "An Act relating to Appointment of Institutional Heads in Department of Institutional services", Senate Paper 186, Legislative Document 465, tabled on April 4 by that gentleman pending acceptance in concurrence.

Thereupon, on further motion of the same gentleman the "Ought to pass" Report was accepted in concurrence, the Bill given its first and second readings and assigned for third reading tomorrow.

At this point, Speaker Edgar returned to the rostrum.

SPEAKER EDGAR: At this time the Chair would like to thank the gentleman from Winterport, Mr. Bean, for his excellent services as Speaker pro tem.

Thereupon, the Sergeant-at-Arms conducted the gentleman from Winterport, Mr. Bean, to his seat on the floor, amid the applause of the House, and Speaker Edgar resumed the Chair.

On motion of the gentleman from Bangor, Mr. Quinn, the House voted to take from the table the forty-fourth tabled and unassigned matter, Bill "An Act relating to Restricting Certain Trustee Process Until After Judgment", House Paper 1065, Legislative Document 1523, tabled on April 26 by that gentleman pending third reading. The Chair recognizes the same gentleman.

Mr. QUINN: Mr. Speaker, through the Chair I would like to address a question to the sponsor of the bill, the gentleman from Portland, Mr. Childs, and ask him if he will tell the House the reason for the bill.

The SPEAKER: The gentleman from Bangor, Mr. Quinn, has ad-

ressed a question through the Chair to the gentleman from Portland, Mr. Childs, who may answer if he chooses.

Mr. CHILDS: Mr. Speaker and Members of the House: This is a bill which came out of Judiciary Committee, unanimous "Ought to pass" report. I will admit it is good strategy on the gentleman's part for me to speak first.

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

Mr. QUINN: Mr. Speaker, I don't believe the gentleman answered my question as to the reason for the bill. He refused to give us the reason?

The SPEAKER: The gentleman from Bangor, Mr. Quinn, asks through the Chair, whether or not the gentleman from Portland, Mr. Childs, cares to comment any further on his question? The gentleman from Portland, Mr. Childs, says he has no further comments.

Mr. QUINN: Mr. Speaker and Ladies and gentleman of the House: In view of the fact that I can't get any enlightenment from him, I will endeavor now to enlighten the Members of the House as to a very poor bill, and give the reasons why I feel it is a very poor bill.

The trustee process in the title is the method of attaching wages of reluctant debtors. We had a trustee process bill here back along and many of the arguments I used in that case apply to this one. Merchants, storekeepers, shopkeepers do business with confidence in mind of the purchaser, that if he does not pay cash and is allowed time that eventually he'll pay a just bill. Honest people do that. Dishonest people fail and neglect to do that. Consequently when a merchant is unable to collect from a dishonest person, a person without any property that can be levied upon, and after sending many bills without results, in despair he turns his bill over to an attorney to attempt to collect it for him.

Now one of the chief ways of collecting a bill against a debtor who has no assets, and the only thing he has in the way of means are his wages, is by attaching his wages. Now, in attaching his wages, we

do it through what is known as a trustee process, and frequently, and before trusteeing the wages, the attorney himself frequently has written several letters to the debtor to come in and make arrangements to settle the account without results, without avail. He's ignored the merchant, ignores the attorney, he has nothing to attach except his wages. Therefore, the next step for an attorney in collecting the merchant's bill is to trustee or attach his wages. That usually results in the debtor coming in and making some amicable arrangement with the attorney to either have something taken out of this pay each week by the employer and held for the attorney for the use of the merchant, or making arrangements to come directly to the attorney's office and make weekly payments on the account until it's finally liquidated and that's usually done on some amicable terms. It's not too hard on the debtor, and will finally result in the merchant having his bill collected, and getting his money, less the collection commission.

Now, frequently this type of debtor who does not pay his bills is a fly-by-night person. He's working here today; there tomorrow, and the next day he may not work at all, so that when the attorney is attempting to collect this bill and locates him in some particular job, if he puts his trustee on attaching his wages immediately, come pay day he will get some result on the bill. If first he has to bring an action that is not a trustee process, which this bill requires them to take an initial action of a suit, if he serves an initial action of suit to bring him into court and get a judgment, before you can bring the trustee process, having been served the initial action, the chances are he won't be working on that job tomorrow. Having been served initial action which this bill requires, which is not the attachment of wages and which is not a trustee process, and you go into the court with your original action to get the judgment which will cost, in legal costs a matter of \$10.00 to \$15.00 depending on various variables in the fees depending on service and travel et cetera, the cost can run into

\$10.00 or \$15.00. This bill would make that additional burden on the debtor. He would have to pay the bill, plus this unnecessary cost of getting this judgment before the attorney could bring the trustee process. Now, that's not good for the debtor because it makes him pay an unnecessary fee along with the debt that is outstanding before the trustee process can be had and his wages attached.

It does another thing. It isn't good for the attorneys because the attorney in a trustee process, nine times out of ten that case, some amicable adjustment will be made and the case will never go into court, and the only cost involved would be the service by the sheriff upon the employer. That's quite a bit less than the cost necessary in getting the judgment under this bill. If the attorney through the trustee process, with just the sheriff's fee involved, can make the collection, the debtor pays that with the bill. If he fails to make the collection, then the creditor has to pay that fee for that service. The same thing is true in the case of getting the judgment before bringing the trustee process. The costs are added to the debtor's bill, making his bill that much more, and if he doesn't pay it, the attorney has to look to the merchant whose bill it is to reimburse him for his cost, so that will be hard on the merchant. Now another thing it does, as I said before, the trustee processes in a trustee process without judgment previous to taking that action, only about one out of ten cases get to court. Therefore, there is no great burden on the court, but this bill would make every case go to court before you could bring your trustee process. It would jam up the courts with a whole lot of unnecessary work, result in additional expense of clerk hire to take care of this volume of work. It would result in taking a lot of the secretary's time in a lawyer's office unnecessarily, when she could be doing something that would be more profitable, and therefore it's a bad bill for not only the attorney who has the job of collecting the merchant's bill, but it's a bad bill for the debtor because it adds to his outstanding liability, and it's a bad

bill to the merchant because if it isn't collected from the debtor, the merchant will have to foot the bill, an unnecessary cost. And further than that, it's going to make credit a great deal tighter because merchants if they can't collect their bills in a more flexible manner aren't going to render the credit they are giving now to these debtors. They're going to be more choosy about who they allow to have their merchandise on time.

Another reason that this is a bad bill. Many attorneys who are not born with a gold spoon in their mouths, after they struggle through law school, have to start practicing law. The first thing they have are obligations, office rent, books, overhead, secretary, et cetera, and they don't go into an office all organized with a whole lot of work waiting for them to do. They sit and wait for clients to come in with this overhead piling up all the time, and usually a young lawyer, his friends will come with a lot of bills that have been long outstanding to help him get on his feet and get started, and give the bills for collection. Of course, that helps the merchant by getting his bills collected. It helps the lawyer get started, and his chief vehicle is this trustee process. If you make it necessary for him first to get judgment before he can bring this process, you are interfering with his opportunity of getting started. You are throwing a big burden on the courts with unnecessary litigation. You are throwing a burden on the merchant because if the debtor doesn't finally pay the costs, the merchant will have to, and it will also interfere with the proper functioning of the business affairs as we have them under our present system. Therefore, because of those reasons, and because it's a bad bill and has nothing of any value to lend to the judicial process, I move its indefinite postponement.

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

Mr. DESMARAIS: Mr. Speaker and Members of the House: I am not a lawyer here, but I have received some information for this bill from a lawyer, and I would like to read

it to you. It says here: "I have your recent memo relative to legal document 1523 now pending before the legislature, being an act prohibiting the use of trustee process as against wages until after judgment. I think there has been considerable abuse of trustee process in this field, particularly, I think, on the part of collecting lawyers in large city centers of the population, and I am certain, and I am of the opinion that this pending bill ought to pass."

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

Mr. CHILDS: Mr. Speaker and Members of the House: It was with some reluctance that I even sponsored this bill because I knew it would certainly contribute to possibly making me the most unhappy or most condemned lawyer in the City of Portland. It is a bill which is beneficial to lawyers, and I have to pay tribute to the Judiciary Committee for all ten of them feeling that it was good legislation. The reason that I am now opposed to trustee process is because the process is being abused. I consider it now as doing a disservice to the Bar instead of help. You are running into a situation now that collection attorneys, and I am not saying it's most, I'm saying it's a very few, but when I say a few are abusing the law, then I say it's time to repeal it.

What is taking place are some attorneys that are in the collection business are starting off all action with immediate trustees; otherwise, they are putting immediate pressure on the debtor. Before the debtor can get his pay released, he has to either come up with a bond or go see the attorney and make some kind of arrangement with him on the payments of the bill. Now, a good many people who are debtors, on occasions have legitimate defense, and they would like an opportunity to defend themselves in a court of law, and yet if it's a small amount, they certainly do not feel it worthwhile to go hire an attorney. In negligence cases where you may feel you have a good defense and may be a small amount involved, you may feel that contributory negligence, you'd like to have an opportunity to appear in court with

a pro se appearance, defend yourself and tell your side of the story. An immediate trustee is served so you have no idea what to do, so you find yourself becoming necessary to go to another attorney's office. Let me give you an example of one particular trustee which took place which was told before the Judiciary Committee. This attorney started an action and made the writ returnable some six weeks later. Well, the day he started the action he brought a trustee writ. He put the trustee on that week, and for the next six consecutive weeks tying up the man's pay every single week. Before he entered the writ he then dismissed the action. He then put a trustee on the amount the employer held by commencing another action holding up the money the employer held and start trusteeing the man's wages all over again. That is a very gross abuse of the laws that we have on our books. I readily admit that most lawyers are not doing this, but there are enough doing it so I consider that now the law has become a discredit to the Bar, and I hope the gentleman's motion does not prevail.

The SPEAKER: Is the House ready for the question?

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

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: I now find that my good friend, the gentleman from Portland, Mr. Childs, says the reason that he has brought this bill is that there are some grievances in certain locations of abuse of the process. In all sixteen counties of the state, the lawyers have Bar Associations and in those Bar Associations, they have grievance committees, and that is the proper place to bring any of these grievances rather than to interfere with a well needed process of law.

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

Mr. CHILDS: Mr. Speaker, I do not consider it a grievance. There's nothing that the Bar Association could do about it. The attorneys are doing what they have a legal right to do. Even though they are abusing it, the law itself is now becoming abused, but they have a

legal right to do it and there is no way that you stop them.

The SPEAKER: Is the House ready for the question?

The question before the House is the motion of the gentleman from Bangor, Mr. Quinn, that Bill "An Act relating to Restricting Certain Trustee Process Until After Judgment", House Paper 1065, Legislative Document 1523, and all accompanying papers be indefinitely postponed.

Will those who favor the indefinite postponement of this bill please say aye; those opposed, no.

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

The SPEAKER: Will those who are in favor of the motion to indefinitely postpone please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-one having voted in the affirmative and forty-seven having voted in the negative the motion prevailed and the Bill was indefinitely postponed and sent up for concurrence.

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

Mr. CHILDS: Mr. Speaker, do I understand that the rules of the House are that all members shall vote on matters?

The SPEAKER: The Chair will declare the vote on this division sixty-one having voted in the affirmative and forty-seven in the negative the motion to indefinitely postpone prevails.

The Chair will remark on the question of the gentleman from Portland, Mr. Childs, that the rules state specifically and clearly that every member present in the House shall vote on any motion that is presented unless excused.

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

Mr. TEVANIAN: Mr. Speaker, I believe special interests can disqualify anybody from voting under the rules.

The SPEAKER: If any member has special interest on any question that is before the House the gentleman should state that special interest before the voting. A request to be excused from voting

on that basis will be honored before the vote is taken.

On motion of Mr. Totman of Bangor, recessed until seven-thirty in the evening.

**After Recess
7:30 P.M.**

The House was called to order by the Speaker.

The SPEAKER: The Chair is advised that there is going to be taken a picture of the House in action in an evening session, and the Chair would ask the House if there is objection to this picture being taken? The Chair hears none.

The SPEAKER: The House is proceeding under tabled and unassigned items.

On motion of the gentleman from Fort Fairfield, Mr. Hersey, the House voted to take from the table the twenty-fourth tabled and unassigned matter, Bill "An Act relating to Expending Aroostook County Funds for Ricker College", Senate Paper 224, Legislative Document 567, tabled on April 16 by that gentleman pending third reading.

Thereupon, on motion of the same gentleman the Bill was given its third reading, and 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 in concurrence and sent to the Senate.

The SPEAKER: Before the Chair starts taking items off the table any member of the House is free to do so. The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker, we tabled this afternoon until later in the day an item that the gentleman from Bangor, Mr. Quinn, item one, and I have checked that with the Secretary of State, and I would now move that we accept the "Ought to pass" Report if that is the proper motion.

The SPEAKER: The pending question was third reading of the bill. The gentleman from Bangor, Mr. Totman, moves that we remove from the table the "Ought to pass"

Report of the Committee on State Government on Bill "An Act relating to State Owned Cars for Supervising State Fire Inspectors, House Paper 26, Legislative Document 31. Is it the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair is advised that the bill had two readings earlier today and that the pending question is the adoption of House Amendment "A". Is it the pleasure of the House to adopt House Amendment "A"?

The motion prevailed and the Bill was assigned for third reading tomorrow.

On motion of the gentleman from Orono, Mr. Needham, the House voted to take from the table the twentieth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Transportation on Bill "An Act relating to Loads on Vehicles Operated on Public Ways", House Paper 848, Legislative Document 1252, tabled on April 11 by that gentleman pending acceptance of the report.

Thereupon, on motion of Mr. Needham of Orono, the "Ought not to pass" Report was accepted and sent up for concurrence.

On motion of the gentleman from York, Mr. Hancock, the House voted to take from the table the third tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Liquor Control on Bill "An Act relating to Local Option for Sale of Liquor by Certain Part-time Hotels", House Paper 665, Legislative Document 946, tabled on March 26 by that gentleman pending acceptance of the Report.

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

Mr. HANCOCK: Mr. Speaker, Ladies and Gentlemen: This bill, I would like to explain it before making a motion in regard to it. The bill, and I will read it to you, adds another referendum to our liquor questions, under the second set of referendum questions and it reads as follows: "Shall licenses be granted in this city or town for the sale herein of wines, spirits, and malt liquors to be consumed on

the premises of part-time hotels equipped with at least fifty adequate sleeping rooms, public dining room and kitchen?" Now, the Committee considered this as legislation which would favor just a few, and I will agree with them. It does. It's for a particular purpose, but I also submit that the present referendum questions are discriminatory as this one is claimed to be, and if you will note or if you will realize that under our liquor referendum questions, these first five are on every ballot in the state at our election date. The next four, from number 6, 7, 8 and 9 are put upon the ballot only by petition of electors resident in a particular community, fifteen per cent of whom must get that petition up, present it to the Secretary of State. At that time, it's placed on the local ballot. This would add a tenth one to that, I would call it, local, local referendum question.

This was brought about by the fact that, at least in one particular town and I would assume in others, there are large summer hotels in dry towns that would like to have, to be able to sell liquor to their summer visitors, and in this instance would like to be able to compete with other hotels as far as conventions are concerned in the early summer and late summer. There was one individual that appeared with me before the Committee, and as I understand it the Committee thinking that possibly there was only one individual interested. That is not true, and I am sorry that that was conveyed to them. There are several hotel owners who are interested in this particular bill. My motion will be to substitute the bill for the report, and if that is voted upon favorably, I will offer an amendment which would in effect strike out the words "malt liquor" from the bill and reduce the number of rooms from fifty to thirty. It was thought at the Committee and by the Committee that, they asked why we picked fifty rooms. I could only state that was a large number to take care of only those very large hotels, and it would discriminate against the smaller so-called roadside hotels which only need ten rooms in order to get a liquor license. They con-

sidered that discriminatory, but I will put it to you that the definition of hotel in our liquor laws is that a hotel, and it goes on to give what a hotel shall mean, and it means at least ten adequate sleeping rooms in a municipality of 3,000 or less, twenty in a population of from 3,000 to 7,500 and thirty in those municipalities from 7,500 and over. Now that is just as discriminatory as my bill could possibly be. In other words, a small hotel in a community over 7,500 cannot have a liquor license because it is not within the definition of a hotel by our liquor laws, so that I would, by amendment, as I say, if this is acted upon favorably would lower that fifty to thirty to bring it in line, in a sense of allowing those small towns, by their own acting on referendum, on a petition to get this referendum in their own ballots in September to allow them to vote upon it. Of course, this doesn't mean that every town in the State of Maine will vote upon it, nor does it mean that any particular town will vote for it, but at this time I would move to substitute the bill for the report.

The SPEAKER: The question before the House is the motion of the gentleman from York, Mr. Hancock, that with respect to Bill "An Act relating to Local Option for Sale of Liquor by Certain Part-time Hotels" the bill be substituted for the "Ought not to pass" Report.

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

Mr. PLANTE: Mr. Speaker, I move that item three, L. D. 946 be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentleman from Old Orchard Beach, Mr. Plante, that the Report on Bill "An Act relating to Local Option for Sale of Liquor by Certain Part-time Hotels" be indefinitely postponed. The Chair recognizes the gentleman from York, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker, I request a division.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Old Orchard Beach, Mr. Plante, that the Report on Bill "An Act relating to Local Option for Sale of Liquor by Certain

Part-time Hotels" and a division has been requested. Will those who favor the motion for indefinite postponement of this matter please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

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

Mr. PLANTE: Mr. Speaker, I would like out of order to explain why I had to make such a move, off the record.

The SPEAKER: The Chair would rule that the gentleman is out of order. The question has been disposed of and further debate is not in order.

The question now before the House is the motion of the gentleman from York, Mr. Hancock, that the Bill be substituted for the Report.

Will those who favor the motion to substitute the Bill for the "Ought not to pass" Report please say aye, those opposed, no.

The bill was substituted for the Report on a viva voce vote.

Thereupon, the Bill was read twice and assigned for third reading tomorrow.

On motion of the gentleman from Bangor, Mr. Stanley, the House voted to take from the table the forty-seventh tabled and unassigned matter, Bill "An Act Exempting Bunkering Oil from Sales Tax" tabled on April 26 by that gentleman pending passage to be enacted.

Thereupon, on motion of the same gentleman, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair acting in pursuance of the order allowing the Chair to do so, will now lay before the House item number two under tabled and unassigned matters, House Divided Report Majority "Ought not to pass" and Minority Report "Ought to pass" of the Committee on Highways on Bill "An Act relating to Compensation for Clothes for State Police Assigned to

Bureau of Criminal Investigation", House Paper 411, Legislative Document 588, tabled on March 19 by the gentleman from Lubec, Mr. Denbow, pending the motion of the gentleman from Auburn, Mr. Turner, to accept the Majority Report.

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

Mr. BRODERICK: Mr. Speaker, my good friend and colleague, the gentleman from Lubec, Mr. Denbow, asked me if I would indefinitely postpone this bill inasmuch as apparently this matter has been taken care of in another way, and I so move that it be indefinitely postponed.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Broderick, that both Reports on Bill "An Act relating to Compensation for Clothes for State Police Assigned to Bureau of Criminal Investigation" be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed, both Reports were indefinitely postponed and sent up for concurrence.

The SPEAKER: The Chair now lays before the House item number four on page six, Senate Report "Ought to pass" of the Committee on Judiciary on Bill "An Act Authorizing the Annexation of Harbor Island to the Town of Brooksville", Senate Paper 241, Legislative Document 642, tabled on March 28 by the gentleman from Bucksport, Mr. Pierce, pending acceptance in concurrence.

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

Mr. PIERCE: Mr. Speaker, as I understand this situation, the island is roughly 100 strokes of the oar away from the Town of Brooksville. That is a localism, being a deep water seaman. It is roughly four or five miles away from the Town of Castine. Having investigated the matter, I find that if it does remain in the possession of the state that the only persons who can perform legal duties would be state officers. That means that their local sheriffs, local police officers would have no jurisdiction upon this property. Whether or not it is given to the proposed owner, Mr. Kurt, is ex-

tremely debatable. Either way, if Mr. Kurt should get the island, which I question, but if he should, he would be non-taxable, unless the island were taxable,—were annexed to the Town of Brooksville. I, therefore, move that we accept the unanimous report of the distinguished Committee on Judiciary "Ought to pass."

The SPEAKER: The question before the House is the motion by the gentleman from Bucksport, Mr. Pierce, that the House accept the "Ought to pass" Committee report. The Chair recognizes the gentlewoman from Kittery, Mrs. Burnham.

Mrs. BURNHAM: Mr. Speaker and Members of the House: I don't know the exact procedure to follow along the motion of the gentleman from Bucksport, Mr. Pierce, but I would like to make a few remarks on the subject. Shall I do it now?

The SPEAKER: The gentlewoman may proceed.

Mrs. BURNHAM: Mr. Speaker, I don't know just how to start with this. If we give this island according to this report to the Town of Brooksville there is absolutely no objection, or no strings tied to it as far as I can see, for them not to be able to sell to Mr. Kurt tomorrow for \$25.00 or 25 cents, and then they will be able to tax it. I don't think there's any such hurry in giving it to the Town of Brooksville before the courts have decided on the title of the island. If I'm wrong, I'd like to be corrected in the matter. We decided yesterday very definitely that we did not want to give this island away, it's state-owned.

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

Mr. SHEPARD: Mr. Speaker, I think the gentlewoman from Kittery, Mrs. Burnham, is confused as to what is being accomplished under this bill. This would annex it to the Town of Brooksville, not in deed, just in location. I think it was brought out at the hearing that some transaction around 150 years ago it was declared in the Town of Castine, and because of this possible dispute the selectmen of both towns have hesitated to claim it on the possibility of starting a local feud, and it hasn't been de-

clared as in the district of the Town of Brooksville, and that's what this bill will do. It won't transfer title, just the location, and I would like to thank the gentleman from Bucksport, Mr. Pierce, for his donation to my constituents in Brooksville.

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

Mr. WILLIAMS: Mr. Speaker, I think that is correct. This merely gives the town jurisdiction to go over there in case there was trouble and send a constable over there. It doesn't really give the land to the town so they could sell it to anyone. While I am on my feet, I would like to address a question through the Chair to the gentleman from Bucksport, Mr. Pierce.

The SPEAKER: The gentleman may state his question.

Mr. WILLIAMS: Mr. Speaker, I would like to know if Mr. Pierce thinks it would be advisable to build a bridge to the island?

The SPEAKER: The gentleman from Hodgdon, Mr. Williams, has addressed a question through the Chair to the gentleman from Bucksport, Mr. Pierce, who may answer if he so chooses.

Mr. PIERCE: Mr. Speaker, I would prefer a ferry.

The SPEAKER: The Chair recognizes the gentlewoman from Kittery, Mrs. Burnham.

Mrs. BURNHAM: Mr. Speaker and Members of the House: It seems to me if they've had no trouble about policing this island for 150 years, it can wait for a little while longer.

Mr. PIERCE: Mr. Speaker, I withdraw my motion.

The SPEAKER: The gentleman from Bucksport, Mr. Pierce, now withdraws his motion that the House accept the "Ought to pass" report in concurrence. The Chair is awaiting a substitute motion. The Chair recognizes the gentlewoman from Kittery, Mrs. Burnham.

Mrs. BURNHAM: Mr. Speaker and Members of the House: I move that this report and all its accompanying papers be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentlewoman from Kittery, Mrs. Burnham, that the report be in-

definitely postponed. The Chair recognizes the gentleman from Stonington, Mr. Shepard.

Mr. SHEPARD: Mr. Speaker and Members of the House: It is with reluctance that I rise to debate the motion of the gentlewoman from Kittery, Mrs. Burnham. I still feel that she hasn't a thorough understanding of this particular situation. I noticed the other day in some of her remarks, she referred to the island as three miles long. It isn't anywhere near that size. It's only a small island. The harbor of Buck's Harbor in the Town of Brooksville is shaped like a half circle. Harbor Island is in the entrance and it does make an ideal harbor, and for the legislature to indefinitely postpone this is sort of a slap in the face to the townspeople of the Town of Brooksville. Certainly it's located in their harbor, and should be declared within their boundary, and I hope the motion to indefinitely postpone does not prevail. I would request a division please.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentlewoman from Kittery, Mrs. Burnham, that with respect to bill "An Act Authorizing the Annexation of Harbor Island to the Town of Brooksville," the Committee Report be indefinitely postponed. The gentleman from Stonington, Mr. Shepard, has requested a division. The Chair recognizes the gentleman from Union, Mr. Heald.

Mr. HEALD: Mr. Speaker, as a matter of curiosity I would like to know who put in the bill requesting the annexation of this island to this town. Was it a resident of the town or a representative of the town?

The SPEAKER: The Chair would advise the gentleman that it was a Senate bill.

Mr. HEALD: Enough said.

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

Mr. EARLES: Mr. Speaker and Ladies and Gentlemen of the House: Before you make the decision to indefinitely postpone this bill, I would like to comment on this fact. I was curious as to what the word annexation meant, connoted or could possibly mean, so not long after the

hearing on these particular three bills, I went in to the Attorney General's office and asked if it had any particular significance and if it did, if it meant anything other than locating this island within the geographic confines of the Town of Brooksville, I would like to know and would like to hear from the Assistant Attorney General, Mr. Neal Donahue, who incidentally was the gentleman who presented the state's case and claimed title, and that was several weeks ago and I have heard nothing since that day.

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

Mr. FRAZIER: Mr. Speaker, I would like to ask a question through the Chair of any member of the Judiciary Committee where we've already granted the right of Mr. Kurt to sue the State, if it is annexed by the Town of Brooksville, will that in any way deprive him of his right to sue the state for title to the island? I just don't know and would like to have the answer.

The SPEAKER: The gentleman from Lee, Mr. Frazier, has addressed a question through the Chair to any member of the Judiciary Committee who may answer if he so chooses.

Mr. WALKER of Auburn: Mr. Speaker, to my knowledge it will have no effect whatsoever on the outcome of his suit or the right to bring his suit.

The SPEAKER: Is the gentleman's question answered? The Chair recognizes the gentleman from Bangor, Mr. Browne.

Mr. BROWNE: Mr. Speaker, I only wish to say that this has nothing to do with establishing the title of this island. It only annexes it within the geographical confines of the Town of Brooksville as the gentleman from South Portland, Mr. Earles, has already pointed out. It has nothing to do with title.

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

Mr. TEVANIAN: Mr. Speaker, as one of the signers of the Majority Report, Mr. Speaker and Members of the House, I think we should understand the effect of this bill if it is passed. All it does is, it places

this island within the confines of Brooksville, and it is important for this reason. If the court sees fit that this island belongs to Mr. Kurt, they may then have the right to tax the property. If they do not believe the title to be in Mr. Kurt, the title will still remain in the state and the town couldn't tax it anyway, so as a precaution against any more free tax rides, I would suggest that you not go along with the indefinite postponement.

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

Mr. HEALD: Mr. Speaker, are we being told that if Mr. Kurt buys this island before it becomes annexed to a town, he is immune to taxation from then until eternity?

The SPEAKER: Is the gentleman asking a question?

Mr. HEALD: Yes, I would like to ask.

The SPEAKER: The gentleman from Union, Mr. Heald, is addressing a question through the Chair to any member of the Judiciary Committee who may answer if he chooses. The Chair recognizes the gentleman from York, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker, in answer to the question, I will ask one. If no town claims the island and no other community claims it, who then is to tax Mr. Kurt?

The SPEAKER: Does the gentleman consider his question answered? The Chair recognizes the gentleman from Union, Mr. Heald.

Mr. HEALD: Mr. Speaker, I think members of the Natural Resources Committee are trying so hard to do right that perhaps we can't see the right from wrong, but I don't see why if Mr. Kurt buys this island, and the town wants to tax it that it can't be annexed afterwards instead of before. I feel that would just give him a foot in the door, that's all.

The SPEAKER: The Chair recognizes the gentleman from Sherman, Mr. Storm.

Mr. STORM: Mr. Speaker, I would like to ask some member of the Judiciary Committee, if it is not part of the town, why isn't it unorganized territory, and as such, taxable by the state.

The SPEAKER: The gentleman from Sherman, Mr. Storm, has addressed a question through the Chair to any member of the Judiciary Committee who may answer if he so chooses. The Chair recognizes the gentleman from Bangor, Mr. Browne.

Mr. BROWNE: Mr. Speaker, may I say that this is not my bill. It is not a House bill, and until it was brought before the Judiciary Committee, I had never heard of it, of the island. I know not what it is designated or how and, therefore, I don't feel I am in a position to answer this last question. I know so little about it. I know the Town of Castine, I believe it is, and the Town of Brooksville are in conflict as to whether or not it belongs within the geographical confines of either Brooksville or Castine. This bill was brought to establish it within Brooksville. There was no objection, and I see no reason to object to its passage.

The SPEAKER: Is the House now ready for the question? The question before the House is the motion of the gentlewoman from Kittery, Mrs. Burnham, that with respect to Bill "An Act Authorizing the Annexation of Harbor Island to the Town of Brooksville", Senate Paper 241, Legislative Document 642, the Committee Report be indefinitely postponed. A division has been requested. Will those who favor the motion to indefinitely postpone the Committee Report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Sixteen having voted in the affirmative and ninety-eight in the negative the motion did not prevail.

Thereupon, on motion of Mr. Browne of Bangor, the "Ought to pass" Report was accepted, the Bill read twice and tomorrow assigned for third reading.

The SPEAKER: The Chair now lays before the House item number six under tabled and unassigned matters Senate Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on State Government on Bill "An Act relating to the Department of Finance and Administration", Sen-

ate Paper 150, Legislative Document 347, tabled on April 3 by the gentleman from Bangor, Mr. Quinn, pending acceptance in concurrence.

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

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: Early in April I saw this bill 347 entitled "An Act Relating to the Department of Finance and Administration." The title didn't give me much information as to what the nature of the bill was, and made me rather curious to find out. In doing so, I found that legislative document 347 with that title to be an act to discontinue the departmental garage, and then I saw another bill, L. D., which is on the table under Item 46 that had the identical title, L. D. 576, "An Act Relating to the Department of Finance and Administration." Upon examining that L. D., I found that it contained certain reorganization of that department, but I further found that it also contained and embodied within the L. D. the exact contents of L. D. 347, so it made me feel that somebody was certainly making an especial effort to discontinue the departmental garage. For what reason, I didn't know, but I thought I should find out, and the result of that investigation disclosed to me — the moment I tabled these two items, I began getting telephone calls from people that were using cars from the departmental garage, telling me what well-equipped and finely-maintained cars they were, and how they were run at an expense of 5 cents per mile, and that that 5 cents per mile included the cost of the car, all its accessories, tires, lubrication, gasoline, the entire overhead of running that car was at the rate of 5 cents a mile. When I discovered that, and knowing that we had here a provision that allows in Section 31 of Chapter 16 of the Revised Statutes, we have a provision there that allows 7 cents a mile to owners of privately-owned vehicles for traveling in the state's business, for the first five thousand miles, 7 cents a mile. Now that's two cents more than it costs these state departmental garage cars to do the business of the state. For the next five thousand miles,

privately-owned cars are allowed 6 cents a mile, and I further found that that Section also provided that inspectors of potatoes using their car were allowed 8 cents per mile, and the thought occurred to me, I wonder what this amounts to in mileage and dollars and cents, because it appears to me that we not only have the duty to pass laws here for the benefit of the citizens of Maine, but we also have the duty to save money for the state if we possibly can. It's awfully easy to spend it, but we should make some effort to save it.

I found that the departmental garage is set up under the provisions of Section 30 of Chapter 16 of the Revised Statutes of Maine which is entitled "State Owned Cars, Assignment, Maintenance and Markings. The state shall provide no automobiles for travel of employees provided, however, that this shall not apply to the Governor, the state police, Department of Inland Fisheries and Game, Department of Sea and Shore Fisheries, inspectors in the Motor Vehicle Division of the Secretary of State, supervisors in the Maine Forestry District, Highway Department nor to such heads of departments or members of commissions as the Governor and Council may from time to time designate. Nothing herein contained shall be deemed to preclude the maintenance of a reasonable and proper number of state owned cars to be operated from the departmental garage for occasional and emergency use, upon application to and approval by the State Purchasing Agent. The Highway Department shall provide the necessary garage space, facilities for maintenance of a sufficient and proper number of automobiles for assignment by the State Purchasing Agent on a temporary basis to state employees for use on official business. Agencies using state cars shall pay a mileage rate sufficient to reimburse the department garage legislative fund for all costs incidental to the purchase, maintenance and operation of such cars; provided, that no costs or overhead charges incident to other highway or motor transport operations shall be included.

"All state owned cars shall display a marker or insignia approved by the Secretary of State, plainly designating them as state owned vehicles; provided, however, that the Governor and Council may designate the use of certain state owned cars without the said insignia thereon."

Now that is the law under which the departmental garage is set up and that covers the whole legislation on it, and that is the Act that these two L. D.'s are trying to dispose of in the way of maintenance of Departmental Garage and that pool of cars for the use of the departments, which are being run, as I said before, at the low expense of 5c a mile.

Now the next Section 31 provides: "Payment per mile for use of privately owned automobiles, regulated. The state shall pay for the use of privately owned automobiles for the travel by employees of the state in the business of the state not more than 7c per mile for the first five thousand miles actually travelled by such employees on such business in any one fiscal year, and 6c for each mile exceeding five thousand miles; provided, however, that the state shall pay inspectors of seed potatoes 8c for every mile so travelled, provided, however, that the Governor with the advice and consent of the Council may suspend the operation of this section and require state officials and employees to travel in automobiles owned or controlled by the state, if such automobiles be available."

Now that is the basis for travel either by state cars out of the departmental garage or on a mileage basis.

I also discovered that before this legislature there were two bills to change that last section which I read, Section 31. One is L. D. 709 and that would change that section, change the last sentence to read "the state shall pay inspectors of seed potatoes" and the change is adding the following words "or table stock potatoes 8c for every mile so travelled."

Now there is another L. D. in this session, number 1278, and that would amend Section 31 to read as follows: "The state shall pay for the use of privately owned automobiles for travel by employees of

the state in the business of the state not more than 9c per mile for the first five thousand miles actually traveled by said employees on such business in any one fiscal year, and 7c per mile exceeding five thousand miles. The state shall pay inspectors of seed potatoes 9c for every mile so traveled" irrespective. There's no breakdown as to the mileage in that. It's 9c per mile for every mile they travel.

I wish you'd consider the mileage costs of privately owned vehicles in comparison to what the state departmental garage cars are costing, 5c a mile for the state, and they want to discontinue that service. Now, I find that the potato inspectors, who are getting 8c per mile, are not on that sliding rule. They are getting 8c a mile straight and this bill here would give them 9c per mile. In 1956 as of the end of the fiscal year June 30th, they traveled 212,872 miles at a cost at 8c a mile of \$17,029.76. State employees traveling that first five thousand miles at the rate of 7c per mile traveled 5,967,313 miles at a cost of \$417,711.91, very nearly a half million dollars. Now, the same employees when they got over this five thousand mile bracket and got into the 6c a mile bracket traveled 6,515,940 miles at a cost to the state of \$390,956.40. The legislative cost for the period was 24,770 miles at \$1,238.50, making a total cost for the use of privately owned cars on a mileage basis for the end of the fiscal year 1956, miles traveled 12,720,895 miles at a total expense on just this type of travel alone of \$826,936.57, crowding a million dollars for just traveling on the mileage basis.

I find further that in the state we have three garage setups. We have the Departmental Garage, which I am talking about, and that involves 85 cars. We have the State Highway Police and their garage and that involves 181 cars, and we have the Highway Department Garage and that involves 467 cars, and many of these different groups have panel trucks, pickup trucks, and other trucks making a vehicle total of 1,220 vehicles. Now, that's a lot of automobiles owned by the state.

I further found that the State Police, — I told you that the De-

partmental Garage has been operating these cars including cost price, insurance and all overhead for 5 cents a mile. The State Police last year operated their cars 6,450,000 miles at an expense of \$319,000.00 or a breakdown of 4.93 cents per mile, under 5 cents per mile. Now that also included all those other costs, the cost of the car, the operating cost, the cost of the garage for maintainance and the cost of insurance. State Police operated their cars for 4.93, under 5 cents a mile.

Now it appears to me there is something here needs a little further looking into, a little further investigation. The State Highway Garage maintains but the one garage here in Augusta and either six or seven garages located at strategic points throughout the state. It appears to me that if the State Highway Police can operate their vehicles at 4.93 cents per mile, and the Departmental Garage can operate their vehicles at a rate of 5 cents a mile, that many of these users that are being paid on the mileage basis, the large number could well operate state owned cars at that lower rate and save the state considerable money.

Now I would propose to you this that I am not disposed to go along with these two L. D.'s. I would feel because of the information that I have found that this situation requires further looking into, and there's a strong possibility that a motor pool can be made here under proper supervision with proper substations throughout the state to service state cars, and save the state a tremendous sum of money. It's my thought that this L. D. 347 should be indefinitely postponed, and that the L. D. that reorganizes the State Department of Finance and Administration should be amended by striking out that section that contains the same material that's in L. D. 340, whatever the number is, the one that just pertains to the state garage alone, and that an order of this legislature issue referring this whole transportation, Departmental Garage, the whole program to the Research Committee for proper survey and investigation between now and the next session of the legislature so

that they may come up with some kind of a program that will save the state money and get more of this travel that amounts to \$826,000.00 of privately owned cars into the 5 cent a mile bracket rather than up into the 7 or 9 if these bills should go through, and save the State of Maine a little money.

I have not prepared the amendment to do that yet, and in order to do that, I would ask that that amendment be put on L. D., which is Item 46, and that this one we are considering now L. D. 347, which just refers to the departmental garage and the discontinuance of it, be indefinitely postponed, and that when we reach this other one that it be tabled sufficiently long to make the amendment in the order that I suggest. I thank you for your attention.

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

Mr. TOTMAN: Mr. Speaker, Members of the House: I shall be very brief. Speaking as one member of the State Government Committee, I can assure you that I personally am dumfounded by the tremendous amount of controversy that this particular transfer has apparently excited in the gentleman from Bangor, Mr. Quinn. As far as we were concerned in the Committee, the transfer of the control of seventy cars from the so-called Departmental Garage to the State Highway Commission made fairly good, common sense since the Highway Commission uses about 96 per cent of the mileage. It is as simple as all that. It was just a transfer from having the Bureau of Purchases, which I don't think knows much about automobiles, over to the department which uses them 96 per cent of the time. Now, I can assure you if there is something mysterious and sinister about the control of the State Departmental Garage, let's kill the bill, but I can assure you again that the Committee was simply taking a fairly innocent recommendation to transfer the control of these particular 70 cars to somebody that was using most of them. We heard a rumor that one person who might lose his job was very upset. Aside from that we didn't think that anyone was going

to be put out of work. We thought it might be an overall economy. We've got statistics here. I certainly won't read them. I might add that it is extremely difficult for the reporters here tonight to take down these statistics unless the members are willing to give them to them, and I would ask that they would whenever they cite statistics.

I am not going to speak against the motion of the gentleman from Bangor, Mr. Quinn. If he feels that strongly about it, perhaps we should go along with it, but I am saying that the Committee found this a fairly innocent transfer of just 70 cars, and I leave it up to your own good judgment.

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

Mr. WALSH: Mr. Speaker and Ladies and Gentlemen of the House: Your Committee on State Government explored this detail to the fullest degree. The gentleman from Bangor, Mr. Quinn, has confused you with a great number of large amounts and large figures. The trouble over the transfer of this garage arose from one individual within the garage, one individual. We went to everybody we could to check facts and figures and despite the 400 odd or the 1200 odd automobiles there may be in the State of Maine, it boils down to this simple few words in these four or five paragraphs, and if you will bear with me, I would like to set the record straight. "We have reviewed the records of passenger car operation by the Departmental Garage and the Motor Transport Division of the Highway Commission and find that:

"During the fiscal year ended June 30, 1956, the use of 70 of the 85 passenger cars maintained by the Departmental Garage Division of the Bureau of Purchases was charged to the Highway Fund.

"The reported mileage traveled by these 70 passenger cars was 2,199,434 miles.

"At the prevailing rate of 5c per mile, the charge to the Highway Commission operations amounts to \$109,971.70.

"The Motor Transport Division of the State Highway Commission also maintains approximately 25 passenger cars for use in State Highway

Commission operations. These cars are charged to Highway operations on the basis of \$6.00 per day for each day of actual use, regardless of the mileage driven. There is a maximum charge of \$30.00 per week for any passenger car used, regardless of the mileage driven.

"Assuming the entire 70 cars supplied by the Departmental Garage for Highway operations for the fiscal year ended June 30, 1956 had been under the control of the Motor Transport Division, and that Highway operations had required the use of each of the 70 cars for at least 5 days every week of the fiscal year, the charge by the Motor Transport Division to Highway operations would have been 70 x 52 x \$30 — or \$109,200, as contrasted with \$109,971.70 charged by the Departmental Garage on a mileage basis. Under the present arrangement, Highway operations absorbed an extra charge of \$771.70 over that which would have been charged for the same service had it been rendered by the Motor Transport Division.

"On the basis of the foregoing, it is obvious that Highway operations would have benefited financially had the 70 cars supplied by the Departmental Garage been under the jurisdiction of the Motor Transport Division. It is also obvious that there is no logical basis for continuing the maintenance of at least 70 of the 85 passenger cars presently under the control of the Departmental Garage.

"This leaves a balance of but 15 passenger cars to be dealt with. Ten of the 15 are spares and could be taken over by the Motor Transport Division should it be found desirable to retain them as replacements to be used in emergencies or when regularly assigned cars required substantial repairs. There would, of course, be no charges to the Highway operations during periods of non-use. They could be sold if not needed.

"Actually we are concerned with only 5 Departmental Garage cars. During the 1956 fiscal year these 5 cars were assigned as follows: Health & Welfare Department 2, Insurance Department 1, Bureau of Taxation 1, Industrial Accident

Commission 1, Department of Labor and Industry 1.

"The cost of maintaining these 5 cars by the units to which they have been assigned should be no more than is the cost of any of the several hundred other cars which are operated by State Departments everywhere."

This is a statement after a thorough and complete investigation by Ray Mudge, Commissioner of the Department of Finance and Administration, and the difficulty over the whole thing started with one man in the Departmental Garage, and Ladies and Gentlemen, I say to you this, should we consider upsetting something that is beneficial to the State of Maine both in savings and operation because it affects one individual working in the Highway Departmental Garage. I certainly hope that we do not go along with the motion of the gentleman from Bangor, Mr. Quinn, for indefinite postponement of this bill.

The SPEAKER: The Chair recognizes the gentleman from Sherman, Mr. Storm.

Mr. STORM: Mr. Speaker, I'm not going to bore you with any figures on this matter, I haven't gone into that part. I do want to say a word in defense of the potato inspectors as they have been brought in to this. Comparison has been made with the mileage rates which they are paid or are asking for as compared to the figures submitted by the State Garage, and I just want to throw this thought in that those two items cannot be compared. The potato inspectors travel a comparatively small mileage as regards the number of miles, but very rough mileage as regards the condition of the roads they travel over. In many instances they don't travel over roads at all. They travel over farm roads into back fields, and the life expectancy of any car subjected to that sort of travel is very short. I have had some experience in driving cars under the same conditions that the potato inspectors do, and I'll submit that if their costs, figures as to their actual mileage costs were presented here, they would not be 5 cents but they would be at least 15. I think that's something to be taken into consideration here.

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

Mr. STANLEY: Mr. Speaker and Ladies and Gentlemen: We are speaking to L. D. 347, I think it's a little unfortunate, and I am sure the gentleman from Bangor, Mr. Quinn, didn't intend to confuse us with a great number of L. D.'s. There were four or five different L. D.'s mentioned, and we were speaking of two bills and amendment to another one. This is a very small bill which is very easy to read. I think that the gentleman from Brunswick, Mr. Walsh, has given a very good description of what it will do, what it's intended to do. I think it's a good move that the Departmental Garage has been under the direction of the Purchasing Department, which very obviously is not the best place for it. I think it could be handled by a department or by a real garage operator rather than by a Purchasing Agent. I think that if we would just confine our discussion to the 347, I think we can come to a conclusion much quicker than if we have all of these others linked into it. I hope we do not go along with the motion for indefinite postponement.

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

Mr. QUINN: Mr. Speaker, 347 is the L. D. we are considering because that is the first one on the docket, and the one in order to be considered, and that is the one that has the disposition to dispose of the State Garage in it solely. However, I did refer to the other one on Item 16 which has the same title and embodies the exact phraseology in the other L. D., and in order that this matter will receive its proper, considered consideration, my motion was to indefinitely postpone this one, and refer that part of the other one to the Research Committee for further study before anything was done about discontinuing a garage that the state has invested a lot of money in. There's a good crew of garage men to do the repairs under a foreman, trained foreman. The Purchasing Agent don't do this. It's his responsibility, but it's done through

the mechanics in the garage themselves. He buys the material, but they run the shop, and it's my feeling that because of the fact that they are operating on such a low mileage rate, to the cost to the State of Maine of 5 cents a mile, and whereas we're spending at the rate of 8 cents a mile for privately-owned cars, we're spending 17 thousand dollars for state employees at the rate of 7 cents a mile, we're spending \$417,000, and for state employees at the rate of 6 cents a mile, we're spending \$390,000. The total is pretty close to a million dollars. There's enough money involved there and there's a good chance for some thrift there, that if a proper investigation was made and a proper organization of a motor pool in the State of Maine was had that it would be beneficial to the State of Maine. That's why I moved the indefinite postponement of this L. D. with the idea of amending the other one to bring that about.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I have to frankly admit that the gentleman from Bangor, Mr. Quinn, has certainly dazzled me with his figures. When the Commissioner of Finance appeared before the Committee on State Government, it seemed quite clear after listening to him and giving us his figures that this bill would be a saving to the State of Maine. The same matter was enclosed in the other bill that the gentleman from Bangor, Mr. Quinn, referred to as we thought that's where it should be, but it seemed quite clear, it's possible that the legislature would not at this time be ready for the drastic change which would take place in the bill which the gentleman from Bangor, Mr. Quinn, has referred to which is Item 46. It was also felt that even though the legislature was not ready for such a change at that time that they certainly would still want to save the state some money, and that was to be done by the bill which we are now discussing. Possibly the gentleman from Bangor, Mr. Quinn, is correct. I certainly could not at this time debate the figures with

him because the figures he has now given us are certainly new to me.

All I can say is that when Mr. Mudge appeared before the Committee on State Government, it seemed quite clear and evident that this bill was going to save the State of Maine money. Therefore, I have to feel at this time that I think that we may be going off on a tangent if the gentleman from Bangor, Mr. Quinn, is correct, so possibly it might be a good idea that we put this matter upon the table and when we have arrived at Item 46, the same matter is enclosed in it at that time, the same Item is in Item 46, and, in the meantime it's going to give Mr. Mudge an opportunity to go over the figures that the gentleman from Bangor, Mr. Quinn, has given us and actually see whether we are saving money or we're not saving money, because the figures that the gentleman from Bangor, Mr. Quinn, has given us certainly show this is not a good move, and yet the figures that Mr. Mudge showed us, it was a good move. So I shall move that this matter now lie upon the table unassigned. But as soon as we arrive at Item 46 and dispose of that, if we pass Item 46 as is, there'll be no need of this legislative document and then it can be indefinitely postponed. But if Item 46 falls by the wayside and we still want to save money and this bill does save money, and at that time I can move for this particular item to pass.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Childs, that the "Ought to pass" Report on Bill, "An Act relating to the Department of Finance and Administration", Senate Paper 150, Legislative Document 347, be tabled unassigned pending the motion of the gentleman from Bangor, Mr. Quinn, that it be indefinitely postponed.

Will those who favor the tabling motion please say aye; those opposed, no.

A viva voce vote being taken the motion prevailed and the Report was so tabled.

The gentleman from Bangor, Mr. Quinn, was granted unanimous consent to address the House.

Mr. QUINN: Mr. Speaker and Members of the House: I gave you a lot of figures here this evening but solely to make a comparison and give you some information, and the source of my figures are from Mr. Mudge of the Department of Finance today.

The SPEAKER: The Chair now lays before the House the seventh tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Retirements and Pensions on Resolve in favor of Evelyn Bell Rowe of Sanford, House Paper 484, Legislative Document 674, tabled on April 4 by the gentleman from Sanford, Mr. Letourneau, pending acceptance of the Report.

The Chair recognizes the gentleman from Sanford, Mr. Desmarais.

Mr. DESMARAIS: Mr. Speaker and Members of the House: My good friend the gentleman from Sanford, Mr. Letourneau, who is not here tonight has asked me to move to substitute the Bill for the Report, and I will speak briefly on that.

The SPEAKER: The question before the House is the motion of the gentleman from Sanford, Mr. Desmarais, that with respect to Item number 7, the Bill be substituted for the Report.

The gentleman may proceed.

Mr. DESMARAIS: Mr. Speaker, after listening to the honorable gentleman from Bangor, Mr. Quinn, these figures that I have will seem like peanuts. It says here this resolve is for, in favor of Evelyn Bell Rowe of Sanford to be given credit for fourteen years of teaching rendered in Nasson College to be applied towards needed requirements for a retirement benefit under the provisions of Chapter 63a of the Revised Statutes. Such a retirement allowance shall not be payable until the said Evelyn Bell Rowe has paid to the Maine State Retirement System the sum of \$1,256.50. I am on the Retirement Committee and I voted on this Resolve "Ought not to pass," and this bill here would cost the Retirement System a little bit over \$4,000.00. We were talking to Mr. Hayes, while we were in session on a Committee hearing, and I asked him how much money, how much sur-

plus that they have in the Retirement System. He said: "We have \$33,000,000." So I believe, after I heard that, I believe that we should help these teachers to stay in our state, and I hope that the House will substitute the Resolve for the "Ought not to pass" report.

The SPEAKER: The question before the House is the motion of the gentleman from Sanford, Mr. Desmarais, with respect to Resolve in favor of Evelyn Bell Rowe of Sanford that the Bill be substituted for the "Ought not to pass" Committee report.

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

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: Being a member of that Committee and the reason that we came out with an "Ought not to pass" report was we delve very deeply in all of these cases of these teachers and in this particular case, if my memory is right, it was a private school and we'd be opening up for all the private school teachers to come in under the Retirement System, and that's why we passed the "Ought not to pass" report. I move that we accept the "Ought not to pass" report of the Committee.

The SPEAKER: The Chair must advise the gentleman from Cumberland that the motion before the House is to substitute the Resolve for the Report.

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

Mr. JALBERT: Mr. Speaker, solely for the purpose of making a very, very brief comment, I will declare myself on the side of the gentleman from Sanford, Mr. Desmarais.

I know that everyone here has put in a hard day. I know that everyone who was involved in the crew has worked hard, but I have sat here for several hours as well as others and I've seen a man that in my opinion has done a mammoth job today, and I know that later on everybody else will come in for well deserved praise, but I think that it's high time that we give the House Reporter a good sound vote of thanks by applause for his work today. (Applause)

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

recognizes the gentleman from Auburn, Mr. Wade.

Mr. WADE: Mr. Speaker and Members of the House: I would like to ask through the Chair of any member of this Committee, how many similar bills came before them, or approximate, have been reported out "Ought not to pass," those reports accepted and gone, and I ask that question to point out that it's probably a mistake for us to select this one bill and act differently on it than we have on some other similar bills.

The SPEAKER: The gentleman from Auburn, Mr. Wade, addresses a question through the Chair to any member of the Committee on Retirements and Pensions who may answer if he so chooses.

Mr. DESMARAI: Mr. Speaker and Members of the House: I will try to give the gentleman from Auburn, Mr. Wade, his answer. We have had two bills I think we received in this Committee, and one was a Resolve of Mr. Quinn for, to allow this lady a resolve on six years. This is the other one, and I think, when I got up to speak against the other bill, I didn't think it would be fair to the other teachers if we did pass that bill, so now I think that it would be fair for this teacher if we did pass her bill the same as we did the other. Thank you.

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

Mr. WADE: Mr. Speaker, I want to ask some member of the Committee, it seems to me I remember a bill in favor of a man named Hall from Lubec that was reported out "Ought not to pass." We accepted that report. It would seem to me that was a similar bill.

The SPEAKER: The gentleman from Auburn, Mr. Wade, seeks information from some member of the Committee on Retirements and Pensions who may answer.

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

Mr. CALL: Mr. Speaker, I thought that I made myself clear to the House, and, of course, I have, every member of this House has a right to table any motion that any Committee brings out on any Act or Bill or Resolve and they have

a perfect right to argue on this floor, and I thought I made myself clear that whereas on private school matters the Committee felt that they should not go along with private schools. I feel just the same as the gentleman that's arguing tonight, I felt sorry for all the years that they've taught there. I was very much against the Retirement System, and that's why the Committee came out "Ought not to pass."

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

Mr. LaCASCE: Mr. Speaker, I think a great many private schools are included in the Retirement System. Before the private schools came under that system, Nason changed from a preparatory school to a college; therefore, couldn't come under this system. To my knowledge there has been one other bill go through the legislature here whereby a teacher will benefit from teaching in a private school which hasn't been under the Retirement System. This is also true. A teacher in the State of Maine may teach in the State of Maine, they may go out of the State of Maine and teach for several years, come back to the State of Maine and get credit for that teaching outside the State of Maine if they pay the percentage which is due for those years. I personally think this teaching at Nason should be included.

The SPEAKER: Is the House ready for the question?

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

Mr. FULLER: Mr. Speaker and Members of the House: I believe it would be very unfair to allow this bill to be substituted for the report when the Committee on Retirements and Pensions made a policy two years ago that they would not allow people to come under the Retirement System that didn't qualify. Now, I had a bill exactly like this that didn't even ask for anywhere near as many years, I think it was only two years, and it has gone down the drain because I felt if that's the way they were going to treat everybody that I certainly had no kick, and I think it would be very unfair to all the others who

have introduced resolves to allow this to pass and let the others fail.

The SPEAKER: Is the House ready for the question?

The question before the House with respect to Resolve in favor of Evelyn Bell Rowe of Sanford, House Paper 484, Legislative Document 674, is the motion of the gentleman from Sanford, Mr. Desmarais, that the Resolve be substituted for the "Ought not to pass" Report. Will those who favor the motion to substitute the Resolve for the Report please say aye; those opposed, no.

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

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

The SPEAKER: The Chair now lays before the House the ninth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act relating to Disposition of Commissions on Pari Mutuel Pools," House Paper 947, Legislative Document 1340, tabled on April 4 by the gentleman from Gouldsboro, Mr. Tarbox, pending acceptance of the Report.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: The gentleman from Gouldsboro, Mr. Tarbox, came to me before supper tonight and explained to me that this was one of the few times in the session that he had to be absent, and he would appreciate it if the House would allow him to table this until tomorrow morning. Therefore, I would make the motion that this Bill and any other that we might reach with his name tonight be tabled until tomorrow morning.

The SPEAKER: The question before the House is the motion of the gentleman from Bangor, Mr. Totman, with relation to Bill, "An Act relating to Disposition of Commissions on Pari Mutuel Pools", House Paper 947, Legislative Document 1340, the "Ought not to pass" Report be tabled and specially assigned for tomorrow pending acceptance. Is this the pleasure of the House?

The motion prevailed and the Report was so tabled.

On motion of the gentleman from Lee, Mr. Frazier, House Rule 26 was suspended in order to transact business after Nine P.M.

The SPEAKER: The Chair now lays before the House the tenth tabled and unassigned matter, Senate Report "Ought not to pass" of the Committee on Retirements and Pensions on Resolve Providing for an Increase in State Pension for Frank Eldridge of Milbridge, Senate Paper 390, Legislative Document 1086, tabled on April 5 by the gentleman from Brewer, Mr. Lindsay, pending acceptance in concurrence, and the Chair recognizes that gentleman.

Mr. LINDSAY: Mr. Speaker, I yield to the gentleman from Columbia Falls, Mr. Hathaway.

The SPEAKER: The Chair must remind the gentleman that there is no such thing as yielding, but if the gentleman from Columbia Falls wishes recognition he may have it.

Mr. HATHAWAY: Mr. Speaker, this Resolve I think was a Senate Resolve, and the gentleman from Brewer, Mr. Lindsay, tabled it, I don't know why. I had nothing to do with it, and I know nothing about it.

The SPEAKER: The Chair recognizes the gentleman from South Berwick, Mr. Flynn.

Mr. FLYNN: Mr. Speaker, this was a Senate Resolve by Senator Wyman, and I believe that the gentleman from Brewer, Mr. Lindsay, tabled this Resolve on behalf of the Senator in regards to some further information that he wanted on it, and we haven't as yet heard anything in the contrary. Therefore, I would move that this lay on the table until tomorrow for further inquiry.

The SPEAKER: The gentleman from South Berwick, Mr. Flynn, moves that item number ten, Resolve Providing for an Increase in State Pension for Frank Eldridge of Milbridge, Senate Paper 390, Legislative Document 1086, be tabled and specially assigned for tomorrow pending acceptance of the Committee Report in concurrence.

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 question now before the House is the acceptance of the "Ought not to pass" Report in concurrence. Is it now the pleasure of the House to accept the "Ought not to pass" Report in concurrence?

Will those who favor accepting that Report please say aye; those opposed, no.

A viva voce vote being taken the motion prevailed and the "Ought not to pass" Report was accepted in concurrence.

The SPEAKER: The Chair now lays before the House the thirteenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Business Legislation on Bill "An Act relating to Savings Bank Life Insurance", House Paper 700, Legislative Document 1007, tabled on April 9 by the gentleman from Brewer, Mr. Lindsay, pending acceptance of the Report.

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

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: I would beg your indulgence on this item and allow me to table it either until tomorrow or the following day. I have had a hard day today and I wish you would go along with me and allow me to table it and have it specially assigned for Friday.

The SPEAKER: The Chair must remind the gentleman that debate is not in order except on time of assignment.

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

Mr. WADE: Mr. Speaker, as House Chairman of the Business Legislation Committee, I am quite interested in this Bill, and I find it necessary to be away on Friday, so I would like very much to have this tabled until tomorrow if that would meet with the approval of the gentleman from Bangor, Mr. Quinn.

The SPEAKER: Is that agreeable with the gentleman from Bangor, Mr. Quinn?

Mr. QUINN: That would be very well.

The SPEAKER: The question before the House is the motion of the gentleman from Bangor, Mr. Quinn, that the Committee Report on Bill "An Act relating to Savings Bank Life Insurance", House Paper 700, Legislative Document 1007, be tabled and specially assigned for tomorrow pending acceptance. Is this the pleasure of the House?

The motion prevailed and the Report was so tabled.

The SPEAKER: The Chair now lays before the House the fourteenth tabled and unassigned matter, House Report "Ought to pass" of the Committee on Legal Affairs on Bill "An Act relating to Pari Mutuel Horse Racing and the Stipend Fund", House Paper 748, Legislative Document 1062, tabled on April 10 by the gentleman from Gouldsboro, Mr. Tarbox, pending acceptance of the Report.

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

Mr. TOTMAN: Mr. Speaker, I again repeat the motion, out of courtesy to the gentleman from Gouldsboro, Mr. Tarbox, that this Bill be tabled and specially assigned for tomorrow.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves that with respect to Bill "An Act relating to Pari Mutuel Horse Racing and the Stipend Fund," the Committee Report be tabled and specially assigned for tomorrow pending acceptance. Is this the pleasure of the House?

All those favoring the tabling motion please say aye; those opposed, no.

A viva voce vote being taken the motion prevailed and the Report was so tabled.

The SPEAKER: The Chair now lays before the House the fifteenth tabled and unassigned matter, Resolve Regulating Fishing in Moose River, Piscataquis County, House Paper 122, Legislative Document 160, tabled on April 10 by the gentleman from Greenville, Mr. Harris, pending further consideration. (In Senate the Minority Report "Ought not to pass" accepted) (In House engrossed as amended by House Amendment "A")

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

Mr. HARRIS: Mr. Speaker and Members of the House: As you may or may not remember, this Resolve was reported out of Committee eight to two "Ought to pass", and we passed the Resolve to be engrossed. The other branch accepted the Minority Report. This Resolve asks for one fish, fly fishing only in Moose River from September sixteenth to September thirtieth. Since longer than I can remember until the preceding legislature the fishing law and regulations on Moose River was for a good many years ten pounds or fifteen fish. Ten or twelve years ago that limit was cut down to seven and a half pounds or fifteen fish, whichever came first. Two years ago this Legislature cut out the last fifteen days of September. From an economic standpoint to camp owners, guides and so forth around Rockwood and Moose River want that fifteen days back. They are willing to have and want to have one fish limit, fly fishing only for

that last fifteen days in September. Now, we have had fish bills enough and we have talked enough on them. I am not going to make any motion on this Resolve if it is in order, and I will leave it up to the House to do as they see fit.

The SPEAKER: The pending question before the House would be to recede and concur.

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

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

The SPEAKER: The question now before the House is the motion of the gentleman from South Portland, Mr. Fuller, that the House recede and concur. Is this the pleasure of the House?

The motion prevailed.

On motion of Mr. Totman of Bangor,

Adjourned until nine-thirty o'clock tomorrow morning.