

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Eighth Legislature*

OF THE

STATE OF MAINE

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## HOUSE

Thursday, May 23, 1957

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

Prayer by the Rev. Mr. Theodore Euson of Hallowell.

The journal of the previous session was read and approved.

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House, a group of seventh and eighth grade pupils from the Wiscasset Grammar School accompanied by their Principal, Curtis Tolman, and Seventh Grade teacher, Mrs. Helen Leadbetter. The Chair on behalf of the House extends to you ladies and gentleman a most cordial welcome and we hope that you will enjoy your visit here today. (Applause)

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

Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act relating to Powers and Duties of State Board of Barbers and Hairdressers" (S. P. 457) (L. D. 1305)

Came from the Senate with the Bill substituted for the Report and indefinitely postponed.

In the House, the Report was read.

On motion of Mr. Hanson of Gardiner, the House voted to substitute the Bill for the "Ought not to pass" Report in concurrence, and the Bill was indefinitely postponed in concurrence.

### Ought to Pass with Committee Amendment Amended in Senate

Report of the Committee on Labor on Bill "An Act relating to Compensation for Total Incapacity under Workmen's Compensation Act" (S. P. 319) (L. D. 815) reporting "Ought to pass" as amended by Committee Amendment 'A' submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 319, L. D. 815, Bill "An Act Relating to Compensation for Total Incapacity Under Workmen's Compensation Act."

Amend said Bill in the 8th line by striking out the underlined figures "\$39" and inserting in place thereof the underlined figures '\$35'

Further amend said Bill by striking out in the 11th line the underlined figures "\$15,000" and inserting in place thereof the underlined figures '\$14,000'

Further amend said Bill in the 3rd line from the end by striking out the underlined figures "\$39" and inserting in place thereof the underlined figures '\$35'

Further amend said Bill in the last line by striking out the underlined figures "\$12,000" and inserting in place thereof the underlined figures '\$10,500'

Committee Amendment "A" was adopted in concurrence.

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

SENATE AMENDMENT "A" to S. P. 319, L. D. 815, Bill, "An Act Relating to Compensation for Total Incapacity Under Workmen's Compensation Act."

Amend said Bill by adding at the end thereof the following:

'Sec. 4. Effective date. This act shall become effective on November 30, 1957.'

Senate Amendment "A" was adopted in concurrence and the Bill assigned for third reading tomorrow.

### Ought to Pass with Committee Amendment In Senate Committee Amendment Indefinitely Postponed Senate Amendment Adopted

Report of the Committee on Labor on Bill "An Act relating to Compensation for Specified Injuries under Workmen's Compensation Act" (S. P. 355) (L. D. 961) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted, Commit-

tee Amendment "A" indefinitely postponed, and the Bill passed to be engrossed as amended by Senate Amendment "B".

In the House, the Report was read and accepted in concurrence and the Bill read twice. Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to S. P. 355, L. D. 961, Bill, "An Act Relating to Compensation for Specified Injuries Under Workmen's Compensation Act."

Amend said Bill by striking out the 8th paragraph from the end and inserting in place thereof the following paragraph:

'For the loss of a hand, 125 175 weeks.'

Thereupon, Committee Amendment 'A' was indefinitely postponed in concurrence.

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

SENATE AMENDMENT "B" to S. P. 355, L. D. 961, Bill, "An Act Relating to Compensation for Specified Injuries under Workmen's Compensation Act."

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

"Sec. 1. R. S., c. 31, § 13, amended. Section 13 of chapter 31 of the Revised Statutes is hereby amended to read as follows:

'Sec. 13. Compensation for specified injuries; permanent impairment. In cases of injuries included in the following schedule the incapacity in each such case shall be deemed to be total for the period specified; and after such specified period, if there be a total or partial incapacity for work resulting from the injury, the employee shall receive compensation while such total or partial incapacity continues under the provisions of sections 11 and 12 respectively. The specific periods during which compensation for presumed total incapacity is to be paid because of the injuries hereinafter specified shall be as follows:

For the loss of a thumb, 50 weeks.

For the loss of the first finger, commonly called the index finger, 30 32 weeks.

For the loss of the 2nd finger, commonly called the middle finger, 25 28 weeks.

For the loss of the 3rd finger, commonly called the ring finger, 13 20 weeks.

For the loss of the 4th finger, commonly called the little finger, 15 17 weeks.

The loss of the 1st distal (second) phalanx of the thumb or the distal (third) phalanx of any finger shall be considered to be equal to the loss of ½ of said thumb or finger, and the compensation therefor shall be ½ the amount above specified. The loss of more than one phalanx shall be considered as the loss of the entire thumb or finger. Provided, however, that in no case shall the amount received for the loss of a thumb and more than one finger of the same hand exceed the amount specified in this schedule for the loss of a hand.

For the loss of the great toe, 25 weeks.

For the loss of one of the toes other than the great toe, 10 weeks.

The loss of the 1st distal (second) phalanx of any the great toe or of the distal (third) phalanx of any other toe shall be considered to be equal to the loss of ½ of said great toe or any other toe, and the compensation therefor shall be ½ the amount above specified. The loss of more than one phalanx shall be considered as the loss of the entire toe.

For the loss of a hand 125 150 weeks.

For the loss of an arm, or any part thereof above the wrist, 150 175 weeks.

For the loss of a foot, 125 150 weeks.

For the loss of a leg, or any part thereof above the ankle, 150 175 weeks.

For the loss of an eye, or the reduction of the sight of an eye, with glasses, to 1-10 of the normal vision, or for diplopia, 100 weeks.

For the total and permanent loss of hearing in one ear, 50 weeks.

For the total and permanent loss of hearing in both ears, 100 weeks.

In all other cases or injury to the above-mentioned members or eyes where the usefulness of any physical function thereof is permanently impaired, the specific compensable periods for presumed total incapacity on account thereof shall bear such relation to the periods above

specified as the percentage of permanent impairment due to the injury to such members or eyes shall bear to the total loss thereof; and the. The Commission upon petition therefor by either party shall determine such percentage.

**Sec. 2. Effective date.** The provisions of this act shall become effective on November 30, 1957.”

Senate Amendment “B” was adopted in concurrence and the Bill assigned for third reading tomorrow.

**Ought to Pass  
with Committee Amendment  
Report and Bill Indefinitely  
Postponed in Senate**

Report of the Committee on Judiciary on Bill “An Act relating to Joint Bank Accounts and Joint Building and Loan Shares” (S. P. 145) (L. D. 343) reporting “Ought to pass” as amended by Committee Amendment “A” submitted therewith.

Came from the Senate with the Report and Bill indefinitely postponed.

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

On motion of Mr. Tevanian of Portland, the Report and Bill were indefinitely postponed in concurrence.

Report of the Committee on Labor on Bill “An Act relating to Petition for Review of Incapacity under Workmen’s Compensation Act” (S. P. 162) (L. D. 409) which was recommended, reporting “Ought to pass” as amended by Committee Amendment “A” submitted therewith.

Came from the Senate with the Report and Bill indefinitely postponed.

In the House, the Report was read.

On motion of Mr. Ross of Bath, the Report and Bill were indefinitely postponed in concurrence.

**Divided Report**

Majority Report of the Committee on Appropriations and Financial Affairs reporting “Ought to pass” on Resolve Appropriating Additional Funds for Certain Construction at

Portland Municipal Airport (S. P. 168) (L. D. 447)

Report was signed by the following members:

Messrs. DAVIS of Cumberland  
LESSARD  
of Androscoggin  
— of the Senate.

Messrs. EDWARDS of Raymond  
STANLEY of Bangor  
DUQUETTE of Biddeford  
DAVIS of Calais  
— of the House.

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

Report was signed by the following members:

Mr. SINCLAIR of Somerset  
— of the Senate.

Messrs. BEAN of Winterport  
WOOD of Webster  
BRAGDON of Perham  
— of the House.

Came from the Senate with the Majority Report accepted and the Resolve passed to be engrossed as amended by Senate Amendment “A”.

In the House: The Reports were read.

On motion of Mr. Childs of Portland, the House voted to accept the Majority Report in concurrence and the Resolve was read once.

Senate Amendment “A” was read by the Clerk as follows:

SENATE AMENDMENT “A” to S. P. 168, L. D. 447, Resolve, Appropriating Additional Funds for Certain Construction at Portland Municipal Airport.

Amend said Resolve by striking out all of the “Emergency preamble” and the “Emergency clause.”

Senate Amendment “A” was adopted and the Resolve assigned for second reading tomorrow.

**Divided Report**

Majority Report of the Committee on State Government reporting “Ought to pass” on Bill “An Act relating to Appointment of Commissioner of Education” (S. P. 480) (L. D. 1385)

Report was signed by the following members:

Messrs. ROGERSON of Aroostook  
LESSARD of Androscoggin  
— of the Senate.

Messrs. ROSS of Bath  
 WALSH of Brunswick  
 CHILDS of Portland  
 ELWELL of Brooks  
 — of the House.

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

Report was signed by the following members:

Mr. PIKE of Oxford  
 — of the Senate.

Messrs. WADE of Auburn  
 TOTMAN of Bangor  
 BRAGDON of Perham  
 — of the House.

Came from the Senate with the Reports and Bill indefinitely postponed.

In the House:

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

Miss CORMIER: Mr. Speaker and Ladies and Gentlemen of the House: In order to expedite matters and perhaps enabling us to get through a little sooner, I am not going to be stubborn and bat this thing back and forth from one house to the other. My sentiments are still the same, and I would just like to make a few remarks. I would like this House to know that the state law concerning the State Board of Education as set up, specifically states that they should meet four times a year. They have a meeting every single month and I definitely feel that they have usurped powers that do not belong to them. I feel that they have taken up trivial matters which should be left to jurisdiction of others in the Department and in the state schools. However, I don't feel that this is the time as I say to debate this back and forth, and I will now move that we concur in the indefinite postponement, and if I am here two years from now, if I am reelected, I assure you that I will continue my fight at that time.

The SPEAKER: The question before the House is the motion of the gentlewoman from Rumford, Miss Cormier, that the House concur in indefinitely postponing the Bill and both reports. Is this the pleasure of the House?

The motion prevailed.

**Non-Concurrent Matter  
 Tabled Until Later  
 in Today's Session**

Bill "An Act relating to Gifts of Securities and Money to Minors" (H. P. 9) (L. D. 8) on which the House accepted the "Ought not to pass" Report of the Committee on Judiciary on March 12.

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

In the House:

On motion of Mr. Tevanian of Portland, tabled pending further consideration and specially assigned for later in the day's session.

**Non-Concurrent Matter**

Bill "An Act relating to Facilities Furnished by Public Utilities for Rate Fixing Purposes" (H. P. 186) (L. D. 249) which was passed to be engrossed as amended by Committee Amendment "A" in the House on May 9.

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

In the House: On motion of Mr. Haughn of Bridgton, the House voted to insist on its former action and request a Committee of Conference.

**Non-Concurrent Matter**

Bill "An Act relating to Repossession of Property Subject to Conditional Sales Agreement" (H. P. 418) (L. D. 595) which was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in the House on May 13.

Came from the Senate with Committee Amendment "A" and House Amendment "A" indefinitely postponed, and the Bill passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: On motion of Mr. Shaw of Bingham, the House voted to recede and concur.

**Non-Concurrent Matter**

Bill "An Act Amending Employment Security Law as to Disqualification for Benefits" (H. P. 779) (L. D. 1112) which was passed to be engrossed as amended by Committee Amendment "A" in the House on May 10.

Came from the Senate with Committee Amendment "A" indefinitely postponed, and the Bill passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

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

**Non-Concurrent Matter**

An Act Revising the Maine Milk Commission Law (H. P. 851) (L. D. 1214) which was recalled to the Senate from the Governor by Joint Order (S. P. 593), and which was passed to be enacted in the House on May 17, and passed to be engrossed as amended by House Amendment "A" on May 13.

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

In the House: On motion of Mr. Bean of Winterport, the House voted to recede and concur.

**Non-Concurrent Matter**

Bill "An Act relating to Cutting of Christmas Trees" (H. P. 1091) (L. D. 1585) which was passed to be engrossed in the House on May 17.

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

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

The SPEAKER: For what purpose does the gentleman rise?

Mr. WINCHENPAW: Mr. Speaker, was that the Christmas tree bill?

The SPEAKER: It was. (Laughter)

Mr. WINCHENPAW: Mr. Speaker, is it too late to offer an amendment? I had an amendment I was going to offer.

The SPEAKER: The gentleman must first move that the House reconsider its action whereby it receded and concurred.

Mr. WINCHENPAW: Well, I so move, Mr. Speaker.

The SPEAKER: The question before the House is the motion of the gentleman from Friendship, Mr. Winchenpaw, that the House reconsider its concurrence. The Chair recognizes the gentleman from Auburn, Mr. Walker.

Mr. WALKER: Mr. Speaker, the matter of the Christmas tree bill has given us a lot of difficulty in Judiciary. We discussed the matter and held a lengthy hearing with regards to the different problems that have been presented to us and that had been confronting the people that were engaged in the business of growing Christmas trees. After making many revisions in the proposed law, and listening to various individuals that had an interest in this particular legislation, we came up with what we thought to be a good beginning in order to provide some protection to an industry that is fast growing here in the State of Maine.

The proposed amendment that has been distributed would limit this particular bill to some thirteen counties rather than the entire State of Maine. It is my feeling that we should not reconsider our action due to the fact that the additional amendments to this bill would in effect spoil and take away the usefulness of the proposed law. I therefore request and ask the membership of this House to not support the motion of the gentleman from Friendship, Mr. Winchenpaw.

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

Mr. WINCHENPAW: Mr. Speaker, may I debate this a moment or two?

The SPEAKER: The gentleman may.

Mr. WINCHENPAW: Mr. Speaker, I would like to explain why it got by me so quickly. I was hunting for the Senate Amendment to see what effect the Senate Amendment had on my amendment. Maybe I shouldn't mention that unmentionable body, but pawing through the amendments the hammer went down before I could grab my microphone. Now in our section we feel that there is no need for this Christmas tree bill, maybe some sections need

it, but the section that I represent feel that it is just another government encroachment, and it seems as though one industry should be left free from governmental shackles, and that is why I offered the amendment, and I am sorry that I didn't get the amendment in before the hammer went. So I still move that we reconsider the action we have just taken for the purpose of offering the amendment.

The SPEAKER: The Chair recognizes the gentleman from Union, Mr. Heald.

Mr. HEALD: Mr. Speaker, I have been called by a goodly number of the constituents in my area in regard to this bill, and it seems there are so many small farmers and school children and people similar to that that like to cut a few Christmas trees to earn a few dollars during the winter for Christmas money or something, that they feel that the bill would ruin their chances of doing that and they wouldn't bother to apply for the licenses and so forth, and it would just be putting a bother in their way and it is just there to help the larger industries squeeze out the smaller fellow, and I wish we could add this amendment to at least exclude Knox County from the bill.

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

Mr. WALKER: Mr. Speaker, perhaps some explanation should be forthcoming with regard to the effect of this bill. This bill was not intended to affect people other than commercial operators. The bill was designed to give the State Police and Deputy Sheriffs the right and authority to stop loaded vehicles, check their loads, check permits and attempt to control the apparent abuses that have been going on for many years in various parts of the State.

The amendment that was put on by the unmentionable branch and I will read as follows: "Sec. 2. Limitation. The provisions of this act shall not apply to landowners who cut and market their own trees." Now with regard to youngsters that are cutting trees, as long as they have proper permission to enter an individual's land, they will experi-

ence no difficulties in connection with this bill. It certainly will not prohibit small landowners, small farmers, small operators from cutting their own trees or trees from land that they have leased and deliver it to the roadside for sale to people that are properly authorized by the State Forestry Department and properly licensed to purchase and carry the trees to a point of distribution.

The SPEAKER: The Chair recognizes the gentleman from Montville, Mr. Mathieson.

Mr. MATHIESON: Mr. Speaker, the history of this bill goes back to a group of buyers who met last fall in the vicinity of Bangor and considered that they should have regulations in regard to Christmas tree cutting and marketing. And there is no definite assurance that this bill could be well policed. It is said or has been said that it gives the State Police a chance to inspect and so on, but the next thing is just how can this thing be policed without a whole corps of state officials building up just another bureau in the departments and adding an unnecessary expense to this minor portion of either forestry or farming. The people in my section have objected to it strenuously and I want to go on record as opposing this measure.

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

Mr. BAIRD: Mr. Speaker, this is just one more attempt by one of the departments to increase its power and take away some of the privileges of the small people in this State. The Department of Forestry wants a chance to check on every little thing that everybody does. The small farmers and the boys going to school down in southern Maine are going to be hurt by this bill regardless of what it says, and I want to support the gentleman from Friendship, Mr. Winchenpaw, on this bill.

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

Mr. HANCOCK: Mr. Speaker and Members of the House: This bill was presented by the newly formed Christmas Tree Growers Association of Maine, and it was to offer



some control in a growing industry in this state, and to—by this control to take care of any out-of-state or foreign dealers and sellers who do come up here and hurt the Christmas tree growers here. And from the information we gathered before the Committee, it is becoming quite an industry in the State of Maine. There are many areas now planted with young trees, and within three or four years they hope to have quite a crop of Christmas trees. Actually I don't think the law is as vicious as some of the opponents would like to make it, and it has been watered down a great deal from the original bill presented to us, and it is simply a matter of beginning control and it is not a department bill in the sense the department came forward with it. It is the Christmas Tree Growers Association bill and they simply want something to help them out in their industry.

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

Mr. BRAGDON: Mr. Speaker, I haven't paid too much attention to this bill, but I have a feeling I rather think that it may not be necessary, that abuses haven't been such in the past that it is called for, but I won't take any position on that, but I certainly would like to see this House go along with the gentleman from Friendship, Mr. Winchenpaw, in reconsideration, so that he might offer his amendment. If his area is opposed to it, I think he should have that courtesy.

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

Mr. BROCKWAY: Mr. Speaker and Members of the House: This bill has been so ably debated that I am reluctant to say anything on it, but I would like to point out this is only a one dollar license fee which is very nominal, and also in giving these boys — school boys a chance to cut to make some money for Christmas, I find that up our way that the landowners are the ones that are suffering, that many, many trees are cut without permission and that is one of the things we are trying to get at. Also it is very easy for a truck to back up to a pile of Christmas trees that

are cut and tied at the side of the road and haul them away if there isn't any check. We haven't any way now for the highway police to check on them, they don't have to have a permit to move them. I think that this bill should pass.

The SPEAKER: The Chair recognizes the gentleman from Union, Mr. Heald.

Mr. HEALD: Mr. Speaker, this bill put in by the Christmas Tree Growers Association to make the smaller people and they themselves get licenses, I can't see there would be much difference if I asked us to pass a bill to prohibit anyone else in Maine from manufacturing poultry crates. It would be about the same deal.

The SPEAKER: The question before the House is the motion of the gentleman from Friendship, Mr. Winchenpaw, that the House reconsider its concurrence on this bill. Will those who favor the motion to reconsider please say yes, those opposed, no.

A viva voce vote being taken the motion to reconsider prevailed.

Mr. Winchenpaw of Friendship offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1091, L. D. 1585, Bill, "An Act Relating to Cutting of Christmas Trees."

Amend said Bill by adding at the end thereof the following:

'Sec. 67-K. Limitation. The provisions of sections 67-A to 67-J, inclusive, shall not apply to the counties of Sagadahoc, Lincoln, Knox and Waldo.'

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

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

#### Non-Concurrent Matter

Resolve Authorizing Attorney General to Investigate Title to Certain Island in B. Pond, Piscataquis County (H. P. 614) (L. D. 861) which was

passed to be engrossed in the House on May 8.

Came from the Senate with the "Ought not to pass" Report of the Committee on Natural Resources accepted in non-concurrence.

In the House: On motion of Mr. Dudley of Enfield, the House voted to insist on its former action and request a Committee of Conference.

#### Non-Concurrent Matter

Bill "An Act to Provide Special Disability Compensation for Members of Police Departments" (H. P. 1095) (L. D. 1592) which was passed to be engrossed in the House on May 21.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Tevastian of Portland, the House voted to recede and concur.

#### Non-Concurrent Matter

Bill "An Act relating to License Plates for Motor Vehicle Owners Who Operate Amateur Radio Stations" (S. P. 139) (L. D. 278) which was indefinitely postponed in non-concurrence in the House on May 21.

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

Senators:

REED of Aroostook  
 COLE of Waldo  
 FERGUSON of Oxford

In the House:

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

Mr. PIERCE: Mr. Speaker, I move we insist and join the Committee of Conference.

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

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

The SPEAKER: The question now before the House is the motion of the gentleman from Chelsea, Mr. Allen, that the House recede and concur. The Chair recognizes

the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: In supporting the motion of the gentleman from Bucksport, Mr. Pierce, I would state that I was hoping that we would just use the word "insist" and have it over with. The only reason I am on my feet on this thing this morning is when I went to the post office to get my newspaper this morning, a couple of the ham operators stopped me and discussed the situation with me. After listening to their plea I told them that I could not be budged, that I did not even use my own legislative plate that I had a perfect right to use by law. I thought it was class legislation, and I wound up by stating: "You may take issue with me or call me whatever you want over the airways if you wish" to which the reply came: "We will and we will know who to vote for." The remark didn't impress me. If it wasn't for the fact that I am a very mild-mannered man I might have got angry, but being mild-mannered I didn't.

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

Mr. BEYER: Mr. Speaker, may I inquire of the Chair and the parliamentarian whether the motion to recede and concur will result in a Committee of Conference as asked by the Senate or by passage of the amateur radio bill?

The SPEAKER: The motion to recede and concur will result after the necessary steps in the concurrence by the House in the passage of the bill to be engrossed.

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

Mr. JALBERT: Mr. Speaker, I move we indefinitely postpone this measure and all its accompanying papers.

The SPEAKER: The Chair must advise the gentleman that his motion to indefinitely postpone will not take priority on a non-concurrent matter. The Chair is advised further that indefinite postponement was the last action which the House took.

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

Mr. JALBERT: Mr. Speaker, I am sorry to keep getting up. As I understand it when we voted this measure down, I rose and made a motion that we reconsider and asked that my motion be defeated. On that basis in my opinion the bill as far as this branch is concerned was definitely gone, and I stand corrected.

The SPEAKER: The Chair would advise the gentleman that under the rules by which the House operates the rules state that under certain circumstances, certain motions and only certain motions shall be in order. The circumstances in which the House now finds itself are such that a motion to concur is in order, or a motion to recede.

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

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

The SPEAKER: The Chair would advise the gentleman from Freeport, Mr. Crockett, that the motion to recede is now before the House made by the gentleman from Chelsea, Mr. Allen.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: After considerable debate the other day the House took decisive action in this matter, and I certainly hope that they will stand by that action and I hope that the motion to recede and concur does not prevail.

The SPEAKER: Is the House ready for the question?

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

Mr. ALLEN: Mr. Speaker and Ladies and Gentlemen of the House: This is a bill that was before us two years ago, and as a member of the Transportation Committee I favored it. The bill did not receive passage figuring that it was class legislation. Now compare that with the class legislation that we have for ourselves. We issue special number plates for us legislators and yet we are saying that nobody else can have them, and the chief opposition to this is the departments that do not want to be bothered with the extra work. They argued that it would cost them something to administer. We have taken that under

advisement and the bill has been amended so that the applicant will pay \$5.00 each year for number plates which will last him five years. Now certainly there is more than enough revenue to take care of this measure, in fact it is a money-making proposition, although I don't think it should be.

Now so far the good that the—merits of this bill haven't been discussed too much. Some of the things in favor of it that the ham radio operators do spend a lot of money for equipment to—it is a hobby with them, they enjoy it, but they are of a great service to the people of the State of Maine. In case of disaster or emergency they would be of greater assistance. Now in case of emergency when highways, bridges, communications in general, wires were down, the only way that communications can be carried on would be by radio, and here you have a group of people who are offering their services and tickled to death to do it, that are merely asking that a special license plate be issued. Now I don't think it is too much.

I favor the bill to open it wide open to anybody, the bill introduced by the gentleman from Bangor, Mr. Totman, who had taken this under advisement and done considerable work on it. However, the House did not see fit to go along with it, and I object strenuously to the tactics used to defeat this bill and the Totman bill so-called, when I can see lobbyists and department heads sitting behind the rail passing over little metal tabs to members to waive and there are flag-waving speeches going on to accomplish the ends of one or two men, I don't think it is right, and I think it is about time this House woke up and reconsidered their action and went along and passed this bill. I sincerely hope that you will go along with me to recede and concur with the Senate and pass this measure.

The SPEAKER: Is the House ready for the question?

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

Mr. DUMAIS: Mr. Speaker and Ladies and Gentlemen of the House: I think we discussed this bill thoroughly the other day. This morning I threw in the watebasket, I found over here a telegram or radiogram

or something that was written to me. I was wondering what it was doing on my desk and now I see what it is. I heard a man from Lewiston here that was threatened. I wish you had been in my house night before last and listened to what they said to me on the telephone. It was a lot more than they said to the other gentleman from Lewiston. I haven't changed my mind and I don't think that this group deserves any special consideration. And further looking into this thing, I happened to look into the Michigan laws and Michigan started with the same thing and finally wound up with fifteen different plates and came back to the same original plate. I think that we have a good plate now and it is very readable and I don't think that a hundred and twenty-five or fifty people in the State of Maine deserve a special plate the way that these people are asking, and I think that civilian defense will take care, at least I hope that they will, if we ever get into a jam, and therefore, I haven't changed my mind and I hope that the motion does not prevail.

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

Mr. CROCKETT: Mr. Speaker, it seems to me the opposition comes from one local county. I wonder what the reason is. I wonder if that chief of police has got to their ear and told them to oppose this bill. This bill is a worthy bill. In case of trouble with a foreign country it might become necessary—which I hope it never is—to use this service that is offered by the ham operators.

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

Mr. JACQUES: Mr. Speaker and Members of the House: I stand up here to defend the position of our police chief in Lewiston. I was the one that brought it to the attention of the police chief and asked him if that bill was good for the police enforcement, and he said to me, he said: "I cannot say anything to you before I meet with my Commission." Now the police chief has been accused here more than once to

other people. Now I would say that I appeared in front of the Commission and the Commission instructed the police chief to write a letter to me and I have given that letter to the Committee when I appeared in front of the Committee against both bills.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker, I hope that this indefinite postponement motion does not prevail. I think that these ham operators are deserving of these plates, and if I am not mistaken, I think that it was a ham operator that relayed the message during the sinking of the Titanic, and as I said before I think that this should not be indefinitely postponed.

The SPEAKER: The Chair would advise the gentlewoman that at the moment there is no motion for indefinite postponement. The motion before the House is the motion of the gentleman from Chelsea, Mr. Allen, that the House recede.

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

Mr. WALKER: Mr. Speaker, I happen to live geographically in the same county that the gentlemen from Lewiston who have variously spoken in connection with this matter. For the benefit of the gentleman from Freeport, Mr. Crockett, I am not well acquainted with the chief of police of the City of Lewiston. I have not been pressured by that particular chief of police and I am not up here to run his errands.

I would like to say in connection with my feeling personally on this bill that I am definitely opposed to number plates with various initials appearing on them. If we consider and grant this request I know of no reason why the lawyers also shouldn't have special number plates. I know of no reason why the doctors also shouldn't have special number plates. Speaking of things that have been done during emergencies, I believe that if we are going to pay tribute in that manner to that particular group, then the doctors are among the most deserving. While we are about it why not include the nurses, the civilian defense employees and perhaps the cattle dealers. There are a great many special

groups with special interests. I am personally somewhat disturbed by the attempt of one group to pressure and send wires, telegrams and telephone calls and personally threaten people in connection with this matter. I hope that the motion made by the gentleman from Chelsea, Mr. Allen, does not prevail.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: First, I want to, if I have a friend of the chief of police of Lewiston anyway and cared that he has definitely told these gentlemen from Lewiston what and how to do, I offer my apologies to these gentlemen, it is not my intent at any time to ever infer that they have been forced to vote against something that they feel they are not entitled to do, so I hope they will accept that in the spirit in which I express it, but I would like to say this, this bill could be controversial for day in and day out. There is not a question in regards to special favoritism. There are so many things to be said, but I would for the record ask that this body approve and I so move that a roll call vote be taken when the vote is taken.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: I think this thing was well debated the other day. I have been on that Committee of Transportation and seen this same bill and seen it go down to defeat, and I saw the gentleman from Lewiston, he showed you the plate that the AMVETS have, the amputated veterans,—and if it was good enough for them, why shouldn't it be good enough for these fellows?

In the other session of the legislature we offered them almost everything. Oh no! They just want this one thing, and by the paper and the radio this morning I think they have tried to intimidate us perhaps, and I haven't changed my position, and I hope the motion does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Stilphen.

Mr. STILPHEN: Mr. Speaker, I am a member of the Transportation

Committee who signed the favorable "Ought to pass" Report on this bill. I have heard reference here this morning of intimidation and lobbying by this group of amateur radio operators, and I think that I have spent about as much time in the corridors of this State House this winter and on the floor of this House as most of the members, and I have found that the least amount of lobbying has been done by that group of any particular group that I know of. Talk about pressure and talk about lobbying, and lobbying other measures. I can take any one of you by your hand and walk down the corridor here right now and I'll bet you will be hit on one certain bill by three or four different lobbyists. And up until this morning, I haven't heard or seen any of the group of radio operators except at our Committee hearing that day, and they put on a fine demonstration with their radios that day showing us how they could contact their men out in the field and how they could do these different things with their radios.

And I'll call attention to this House to only a few weeks ago when we had forest fires raging in many parts of the State of Maine. and I'll also call attention to the fact that those ham radio operators were right out there in the field doing their duty at no cost to the State of Maine or anybody else, and I think that this motion by the gentleman from Chelsea, Mr. Allen, should prevail.

The SPEAKER: The Chair will state the question. The question before the House is the motion of the gentleman from Chelsea, Mr. Allen, that the House recede. The Chair would state again in answer to the question of the gentleman from Cape Elizabeth, Mr. Beyer, that acceptance of the motion to recede will result in the normal course of events in the passage of the bill. Rejection of the motion to recede will result in the secondary motion being put before the House that the House insist and join in a Committee of Conference.

A roll call has been requested. In order for the Chair to order a roll call, the Chair must have the expression of a desire for a roll call

of at least one-fifth of the members in the House. Will those who favor a roll call please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Twenty having voted in favor of a roll call and one hundred thirty-one members not having risen a roll call was not in order.

The SPEAKER: Less than one-fifth having expressed a desire for a roll call, the request for a roll call does not prevail.

The Chair recognizes the gentleman from Camden, Mr. Libby.

Mr. LIBBY: I request a division.

The SPEAKER: A division has been requested. Will those who favor the motion of the gentleman from Chelsea, Mr. Allen, that the House recede please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

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

Mr. PIERCE: Mr. Speaker, I now request that my motion to insist and join in a Committee of Conference be withdrawn.

The SPEAKER pro tem: The gentleman from Bucksport, Mr. Pierce, withdraws his motion that the House insist and join the Committee of Conference.

The Chair recognizes the gentleman from Lee, Mr. Frazier.

Mr. FRAZIER: I now move that we adhere, Mr. Speaker.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Lee, Mr. Frazier, that the House adhere.

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

Mr. HAUGHN: Mr. Speaker, if I am in due form, I don't know if adhere would have preference over still insisting. I move to insist.

The SPEAKER pro tem: The Chair would advise the gentleman that a motion to insist does take precedence over a motion to adhere. The question before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that the

House further insist and request a Committee of Conference. Will those who favor the motion to insist please say aye; those opposed, no.

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

Fifty-seven having voted in the affirmative and seventy-one having voted in the negative, the motion to insist did not prevail.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Lee, Mr. Frazier, that the House adhere.

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

Mr. HAUGHN: Mr. Speaker, I believe I am in order to debate slightly on that motion?

The SPEAKER pro tem: Debate would be in order.

Mr. HAUGHN: Mr. Speaker, it is going to be very brief and to the point. I hope this House realizes what they are considering, the fact that they are trying to defeat a bill for the purpose and intent of one mailing service in the State of Maine, and that is the point I want to bring out. This seems to be the only objection, plus our Secretary of State's office which has lobbied this bill here personally, or the Assistant Secretary of State, and I do not believe it is any place for any Commissioner or State Officer in this State Government, at least from my viewpoint, to come up here personally and investigate or to personally be interested in the defeat of a bill. I believe their job is to be an advisory and to offer assistance to us in passing good legislation for departmental operations, and that seems to be the only objection we have for one mailing service in the State of Maine, and I personally do not believe that is good legislation, because that particular one man has preference over numerous men and the safety and health of the public welfare of the State of Maine.

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

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

The SPEAKER: The previous question has been moved. In order for the Chair to entertain the mo-

tion for the previous question, the Chair must have the approval of one third of the members of the House. Will those who favor the Chair entertaining the motion for the previous question, please rise and remain standing until the monitors have made and returned the count. Obviously more than one third having arisen, the previous question is ordered.

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 for each member. Is the House ready for the question?

(Cries of "Yes")

The question now before the House is shall the main question be put now. Will those who favor the main question being put now please say aye, those opposed, no.

The main question was ordered on a viva voce vote.

The SPEAKER: The question before the House is the motion of the gentleman from Lee, Mr. Frazier, that the House adhere in regard to Bill "An Act relating to License Plates for Motor Vehicle Owners Who Operate Amateur Radio Stations, Senate Paper 139, Legislative Document 276. The Chair will order a division. Will those who favor the motion to adhere please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty having voted in the affirmative and forty-three having voted in the negative, the motion to adhere prevailed.

From the Senate: The following Communication:

STATE OF MAINE  
SENATE CHAMBER  
OFFICE OF THE SECRETARY

May 22, 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 Portland University" (H. P. 1026) (L. D. 1458) and to join a Committee of Conference. The President appointed

the following Conferees on the part of the Senate:

Senators:

LORD of Cumberland  
LOW of Knox  
CARPENTER of Somerset

The Senate also voted to insist on its former action on:

"Resolve in favor of Mabelle K. Toole of Bangor" (H. P. 389) (L. D. 520) and the President appointed the following Conferees on the part of the Senate to join a Committee of Conference:

Senators:

DAVIS of Cumberland  
LOW of Knox  
DUNN of Kennebec

Respectfully,

(Signed) WALDO H. CLARK  
Assistant Secretary of  
the Senate

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

On motion of Mrs. Smith of Fal-mouth, it was

ORDERED, that Mr. Brewer of Caribou be excused from attendance today because of attending a Maine-New Hampshire meeting for classification of interstate rivers.

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

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

#### House Reports of Committees Ought to Pass in New Draft New Draft Printed

Mr. Tevanian from the Committee on Judiciary on Bill "An Act relating to Arbitration Pursuant to Collective Bargaining Contracts" (H. P. 972) (L. D. 1372) reported same in a new draft (H. P. 1099) (L. D. 1599) under same title and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and tomorrow assigned.

#### Divided Report

Majority Report of the Committee on Judiciary on Bill "An Act relat-

ing to Aid from Federal Government under Maine Housing Authorities Law" (H. P. 8) (L. D. 7) reporting same in a new draft (H. P. 1098) (L. D. 1598) under title of "An Act Amending the Maine Housing Authorities Act" and that it "Ought to pass"

Report was signed by the following members:

Mr. WOODCOCK of Penobscot  
— of the Senate.

Messrs. BROWNE of Bangor  
EARLES

of South Portland  
HANCOCK of York  
NEEDHAM of Orono  
TEVANIAN of Portland  
WALKER of Auburn  
BRODERICK of Portland  
— of the House.

Minority Report of same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. SILSBY of Hancock  
BUTLER of Franklin  
— of the Senate.

Reports were read and the Majority "Ought to pass" in New Draft Report was accepted.

The New Draft was read twice and assigned for third reading tomorrow.

#### Divided Report

Majority Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to Definition of Redevelopment Project under Slum Clearance and Redevelopment Authority Law" (H. P. 136) (L. D. 174)

Report was signed by the following members:

Mr. WOODCOCK of Penobscot  
— of the Senate.

Messrs. TEVANIAN of Portland  
HANCOCK of York  
BROWNE of Bangor  
EARLES of South Portland  
NEEDHAM of Orono  
BRODERICK of Portland  
WALKER of Auburn  
— of the House.

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

Report was signed by the following members:

Messrs. SILSBY of Hancock  
BUTLER of Franklin  
— of the Senate.

Reports were read and the Majority "Ought to pass" Report was accepted.

The Bill was read twice and assigned for third reading tomorrow.

#### Divided Report

Report "A" of the Committee on Public Utilities on Bill "An Act to Promote Safety on Common Carriers by Railroad" (H. P. 720) (L. D. 1042) which was recommitted, reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mr. LESSARD of Androscoggin  
— of the Senate.

Messrs. BEANE of Augusta  
PLANTE  
of Old Orchard Beach  
ROLLINS of Belfast  
HAUGHN of Bridgton  
— of the House.

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

Report was signed by the following members:

Messrs. MARTIN of Kennebec  
ROGERSON of Aroostook  
— of the Senate.

Messrs. FRAZIER of Lee  
ROY of Fort Kent  
WALTER of Waldoboro  
— of the House.

Reports were read.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: I move we accept Report "A" "Ought to pass".

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that Report "A" "Ought to pass" be accepted.

The Chair recognizes the gentleman from Lee, Mr. Frazier.



Mr. FRAZIER: Mr. Speaker and Ladies and Gentlemen of the House: I feel that I must defend my position in signing the "Ought not to pass" Report on this particular bill.

It is a bill that has been introduced to set into the Statutes of the State of Maine law the exact number of employees that shall ride the trains within the State of Maine. We do have already within the State all of the railroads with cooperation of their brotherhoods have working agreements under which they have worked for many years. There is also provision already made in federal law United States Code Title 45, Sections 151 through 188 which deals with railway labor. Under that particular Code there is organized the Railroad Adjustment Board and the Railroad Mediation Board.

Now I am personally not opposed to labor, I am not opposed to their contracts with their employees. I think it is the way to handle the thing and I personally feel very definitely that this matter should be a matter of first of all an attempt for the two to get together, and if that is not possible, then through arbitration with the National Railway Labor Board. It will be argued by the opponents that the National Railway Labor Board does have a back log of cases which I readily admit. However, the federal law does state that these cases must be given a hearing if asked for within thirty days after any attempt at conciliation may fail.

I feel it is just a matter of trying to get laws onto the books as Statutes rather than trying to work out agreements between employers and employees, and I personally feel that is the way this matter should be handled, and I therefore, move indefinite postponement of this bill and all accompanying papers.

The SPEAKER pro tem: The question before the House now is the motion of the gentleman from Lee, Mr. Frazier, that this bill and all its accompanying papers be indefinitely postponed.

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

Mr. WALKER: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of the gentleman from Lee, Mr. Frazier. The propo-

nents talk about this being a safety measure, yet they cannot point to a single accident having taken place in Maine because of the lack of the so-called full crew law. This is a labor-management problem and I take a dim view of our entering into this field either on the part of management or labor. The railroads are regulated by the Interstate Commerce Commission and the Public Utilities Commission, and it is my feeling that they are adequately protected both from the viewpoint of labor as well as management.

The SPEAKER pro tem: The Chair recognizes the gentleman from Southport, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, it seems to me that the basic policy to be determined here is legislative policy. Now there is no reason why we should interfere with labor and management relations at any time, unless one of two situations exist. First, that labor is being exploited or second, that the safety of the working man or the public is being threatened by some condition which exists. The proponents of this measure in Committee have not inferred nor do I believe they contend that the railroads are abusing their employees.

You and I know that the railroad employees are working under the oldest — they are working under union contracts as members of the oldest and strongest unions. Their rights are amply protected. Insofar as the element of safety is concerned, I am convinced that this legislation is unnecessary. No one has pointed out that trains are operating with fewer men than are reasonably required for safety purposes. If you agree that labor is not being exploited and that there is no safety involved, it proves that this is unwise legislation. Matters of this type are not proper subjects for legislative action. It is purely a labor-management dispute and we should not be involved in this particular type of legislation any more than we should be involved in divorce cases.

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

Mr. BRODERICK: Mr. Speaker and Members of the House: I have spoken with segments of labor and

management on this particular piece of legislation and neither labor nor management seem to want this legislation. I would now move its indefinite postponement.

The SPEAKER pro tem: The Chair would remind the gentleman that that motion has already been made and is before the House.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: There have been a few questions asked here and I will attempt to answer one of them, the abuse of the employees. We had before our Committee during the public hearing brought out and definitely established that in one instance abuse of employees was certainly admitted by both sides, whereby rest room facilities were not available to the employees on certain lines. Through that it was determined where first we thought it was a question of legality of who had jurisdiction over this particular instance, whether it was the Public Utilities Commission or the Health and Welfare. There was a bill in for that particular case to correct this condition of abuse of employees because of lack of rest room facilities, and after consultation with a member of the Attorney General's office we found through the Statutes where there is a present law to take care of this which was questioned about the jurisdiction, but it was defined down it would come out of the Department of Health and Welfare. The complaint was entered with the Health and Welfare Department and up to this time I do not have knowledge as to whether or not it has been corrected, but they assured me that if they did find that condition as expressed they would certainly under their laws be able to correct it. There is a need of one law for employees.

As far as contracts go, we had an occasion here the other day whereby the railroads do not wish to have any laws enacted upon our books which will make it mandatory that they will have to comply with them. We had that case the other day where they did enter into a formal agreement or written agreement as expressed here on the floor

of this House by our assistant floor leader, the gentleman from Bath. Mr. Ross, whereby they did agree to a certain thing which could not be done through negotiation. In other words by mutual agreement it was finally put in writing rather than have that put upon your Statute books to be enforced. We had this same particular instance where they were asked this same particular question. We found that they would not be agreeable to either way although they did say that they would try and cooperate and negotiate with the employees.

And as to my good friend and colleague from Lee, Mr. Frazier, I will admit what he has said is true, they do have that recourse open to them, but even after that recourse is open to them which may be a year or two years hence before the case could even be heard, there are new instances which will arise which sets aside that particular complaint which would then have to be re-entered as a new complaint and it could be dragged on continually and extensively so neither side will either gain whatever they may want, except the railroads will certainly stall for time to put in effect these things which are necessary.

To me this is not a labor-management problem, this is a question of safety for the public, safety for the employees, and if you will read the bill very carefully, I originally had it drafted whereby it would include passenger service. The employees have gratefully withdrawn their efforts in this particular bill to pin this on passenger service due to the fact they claim of losing money. They are repeatedly taking trains from the service. Your lack of transportation is getting greater on the railroads, so certainly it is not the fault of the employees. It is what I would say they are interested in the freight business and not the passenger business from appearance of the facilities disappearing at least through the rural areas. So it looks like a one-way deal here as far as I am concerned as to what their requests are and wanting to grant none, and the only way you can make them be enforced is to have something in the laws

which makes it mandatory for them to comply with.

The original bill two years ago which was before this same body, which went up to its third reading before it failed in the House, and then by a slight majority, we only had fifty freight cars in that particular bill. Now I ask you to visualize the length of fifty freight cars with the man in the caboose at the end of it and an engineer and fireman in the cab. This bill now calls for the length of ninety freight cars because the new types of engines that they now use, they can haul double the load, they can go greater speeds and still with the same compliment of men on which they had those under a hundred.

Now as I understand, I may be wrong and will stand corrected if I am wrong, but I understand that the Bangor and Aroostook line now does have what we are asking for in this bill. And if necessary, I think probably an agreement might be reached on this particular bill whereby they have over a certain length of cars they would comply with this type of legislation, because it certainly is a safety factor. If anything should happen to a freight car or to a freight train of a hundred and forty or a hundred and fifty car length, you can visualize one man in the caboose, what if anything should happen in that end? Who have you got for the public safety to get out and flag down another train or the crossing where there would be no gates or the failure of those traffic signal lights they may have at Gates? There are so many safety factors involved in this bill. To me this is not a labor-management bill, and if it should be, and some may consider it to be such, I think to enforce some rules and regulations is not bad legislation when it complies or certainly is a factor of safety measure both to the passengers or to the freight loads, the employees, there are so many factors to be considered, that to me it is far in excess of a labor-management problem.

And I know there will be others that might argue the fact that we are anti-railroad legislature, I do not think we are. I think we have

been very fair and courteous in extending to them and I think the Public Utilities Commission has done likewise, and I am not speaking for them, but of my own opinion, but they have done everything possible to increase the service for them, increase their rates for them they have done everything. On top of that they are behind movements at the present time, which has a very strong lobbyist remember, to create a feeling whereby you will create hazard to the trucking industry to cut them down to size to increase their business. I don't blame them, that is competitive business, but the lobbying methods on that particular issue are becoming stronger and more noticeable in the halls of this House each day, and if you consider that a labor-management problem I certainly do not.

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

Mr. MILLER: Mr. Speaker, Ladies and Gentlemen of the House: I come from a city that the railroad is greatly, we will say, very much involved in our economic position. I have talked to many of the employees of the railroad there that are members of my family who are connected with the railroad, they are employees, and I have talked it over with them, and they too are in accord that this is not a bill to be passed in the legislature, this is a labor-management problem. And I don't feel that we as legislators should try to tell the railroad how to run their business. I think that labor and management have got along over the years very well. They have accomplished a lot and I think we should go along with the indefinite postponement of this bill.

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

Mr. ERVIN: Mr. Speaker, there has been a statement that was just made by one of the previous speakers that I wish to clear up in which it was stated that only one man is in the caboose of the various freight trains. There isn't a railroad in the State of Maine that does not send a freight train out with at least two men in the caboose. That is an accepted fact.

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

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: I didn't want to enter into this argument, but being that my late father was an engineer on the railroad and brought up in a family where all you hear all your life was railroads, and I take exception to a lot of things that have been said here this morning on this floor, and the arguments have been very good and very impressive, but we must bear in mind when we start dictating to labor and management what they shall do in this house, it would seem kind of funny if I hired a man this morning with a tractor and he came over and he brought a man with him and I said: "What have you got that man for?" and he said: "He is my reliever, when I get tired he takes over and you have got to pay for him."

Well now that doesn't make sense as far as I am concerned. There isn't a train put out today that hasn't a crew of five on it, and as the gentleman from Houlton, Mr. Ervin, just said, in the caboose you will always find a brakeman and if it is a freight, a conductor, and if it is a double header going out I can assure you gentlemen that a double header, that means two locomotives, I assure you that the railroad isn't going to jeopardize that machine that cost almost a quarter of a million dollars on the new diesels. He is not going to send it out for lack of one fireman who today as a fireman he is primarily known as an oiler. His duty is to see that those diesels are all kept up and he watches the dials. I think this thing here is just a matter of labor and management, and I'll go along with the gentleman from Lee, Mr. Frazier, for the indefinite postponement of the bill and accompanying papers.

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

Mr. TEVANIAN: Mr. Speaker and Members of the House: I have long been an advocate of good healthy strong labor relationships. For that reason I stand here opposed to this measure. This measure can do nothing but have the legislature

dictate in the future terms for both labor and management. If we pass a bill of this type management will begin to come in and seek legislation on their behalf. If we are going to have a good clean, strong, healthy, militant union effort in this country, I feel it necessary for the legislatures to do nothing more than at most pass enabling legislation. I feel that this type of legislation is very unhealthy and can create stagnant unions. Thank you.

The SPEAKER pro tem: The Chair is going to interrupt very briefly to recognize before they might leave, a group of students in the balcony of our House from Rumford, Maine, under the direction of Mr. Raymond Hilman, a group of children from the eighth grade. We want to welcome you here today and hope that you are enjoying this debate and will be sufficiently interested to return again. (Applause)

The SPEAKER pro tem: The Chair now recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker pro tem and Ladies and Gentlemen of the House: I want to go on record with the gentleman from Lee, Mr. Frazier, I believe that management and labor is well able to work out their own problems, and I will say the same thing that you have heard here several times today, that we as legislators should not dictate to labor. They have arbitration, there is many ways that they can straighten this thing out themselves, and let's let them mind their own business without butting into it.

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

Mr. HARRIS: I would like, Mr. Speaker, to address a question through the Chair to anyone that may be able to answer. If there is a safety measure involved, doesn't in Public Utilities Commission have the right and the power to correct anything it would have to do with safety as far as public utilities are concerned?

The SPEAKER pro tem: The gentleman from Greenville, Mr. Harris, has directed a question

through the Chair to any member who may answer if they wish.

The Chair recognizes the gentleman from Lee, Mr. Frazier.

Mr. FRAZIER: Mr. Speaker, in answer to the question of the gentleman from Greenville, Mr. Harris, I have been informed and I sincerely believe that the Public Utilities Commission has all the authority they need to regulate the roads to provide for the safety of the employee and the employer.

The SPEAKER pro tem: The Chair recognizes the gentleman from Waterville, Mr. Dostie.

Mr. DOSTIE: Mr. Speaker, when the vote is taken I would like it to be taken by a division.

The SPEAKER pro tem: A division on the question has been requested. Is the House ready for the question?

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

Mr. HAUGHN: Mr. Speaker, in answer to the gentleman from Lee, Mr. Frazier, I will agree in part. Up to a certain point our Commission does have authority to regulate the safety, promote the safety and the health and welfare of the employees and the public at large. But we had an incident here two years ago whereby our Committee which I happened to be a member of two years ago, for the Commission to correct any injustice or wrong or additional needs, that demanded legislation if the Committee so saw fit in their investigation. Through that Committee's Report, we found that the Interstate Commerce Commission and our own P. U. C. Commission through their findings had certain thoughts in mind for correction. We on the Committee agreed with their findings which they did not have the power over at that particular time, and this 97th legislature did grant that authority and accept the Committee's Report which automatically gave the authority back to the Commission which was passed in both bodies. Through that that condition was corrected.

Now there could be conditions now which they do not have control over. I do not know until the condition arises which may question the need or desire of change of

laws once again. And while I am standing I might as well complete what few little words I have left because I don't want this to be lengthy. Why is it the Massachusetts P. U. C. is investigating the railroads for safety at this present time? Why has the New Hampshire legislature authorized the P. U. C. Commission now to investigate these railroads for safety? I would like someone to answer those questions. There must be something behind it or they wouldn't request it.

The SPEAKER pro tem: The Chair would presume the gentleman has not requested an answer through the Chair. The Chair recognizes the gentleman from Bingham, Mr. Shaw.

Mr. SHAW: Mr. Speaker, I listened intently to the discourse in regard to the provision of rest room facilities for railway employees and I think that if we get involved with additional crew members that we will also have a problem during the next legislative session in regard to negotiating additional rest room facilities, and I move the previous question.

The SPEAKER pro tem: The gentleman from Bingham, Mr. Shaw, has moved the previous question. In order for the Chair to entertain the previous question at least one third of the members must arise.

Will all those who favor the previous question please rise? Obviously more than one third having arisen the previous question has been ordered. Is it now the pleasure of the House to entertain the main question at this time? All those in favor will please say aye, those opposed, no.

The main question was ordered on a viva voce vote.

The SPEAKER pro tem: The main question before the House now is the motion of the gentleman from Lee, Mr. Frazier, that this Bill and all its accompanying papers and reports be indefinitely postponed, and the gentleman from Winslow, Mr. Dostie, has requested a division.

Will all those who are in favor of the indefinite postponement of Bill "An Act to Promote Safety on Common Carriers by Railroad", House Paper 720, Legislative Document 1042, and all accompanying papers

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

A division of the House was had.

One hundred five having voted in the affirmative and sixteen having voted in the negative, the motion prevailed, the Reports and Bill were indefinitely postponed and sent up for concurrence.

At this point Speaker Edgar returned to the rostrum.

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

### Third Reader Tabled and Assigned

Bill "An Act relating to Construction Reserve Fund in Department of Finance and Administration" (S. P. 442) (L. D. 1260)

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

(On motion of Mr. Beyer of Cape Elizabeth, tabled pending passage to be engrossed and specially assigned for tomorrow.)

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

Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1958 and June 30, 1959" (S. P. 591) (L. D. 1594)

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

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

Mr. WALSH: Mr. Speaker and Ladies and Gentlemen of the House: In the outset let me say that I am certain that we all have, and I certainly have, the greatest respect for the members and the collective judgment of the Appropriations Committee. However, the legislative branches do have a right to disagree with their decisions.

I offer an amendment this morning, and in dealing with the welfare of the human being, we must all remember that we are dealing with

an emotional problem. The needs of the aged, the blind, the disabled and those unfortunate children who are dependent upon the State for assistance, deserve our careful and most sympathetic consideration.

The people in these categories depend upon us, they have no other avenue of appeal, except hopes and prayers, that we will not forget them. We should never lose sight or thought of those less fortunate than we. Too, we must realize that we have many important decisions to make in all of our deliberations, but it is my firm conviction that it is far more important to do what is possible for these unfortunate people, than it is to end up these next two fiscal years with a little fatter surplus. Our decisions should be based upon two points: One, is it necessary? Two, can we afford it? These two points certainly can be answered in the affirmative on this particular issue.

I shall never forget some forty years ago while working through school back in the high school days, of reading a sign in a diner, they even had signs in those diners in those days, and one impressed me and stayed with me down through these years, and it read thus: "Don't kid the tea—you may be old and weak yourself some day."

Since the decision of the Appropriations Committee on the Supplemental Budget has been placed on your desks, you have had editorials or seen editorials perhaps written in practically every newspaper in the State. I want to read just some from only one which appeared in the Press Herald on Wednesday morning, May 22, and it reads as follows:

"In these final days of the 98th Legislature its members should bear in mind three things.

1. Maine is still a backwoods state as far as institutional care is concerned.

2. The 97th Legislature made the first significant moves in years to improve this situation.

3. Maine still has a long way to go before it can be proud of the way it looks after its poor, indigent, ailing and aged citizens who through no fault of their own must look to others for help.

As lawmakers race toward adjournment day they face the unenviable task of providing on the one hand adequate funds for institutional care, and on the other of finding ways to save wherever possible. Veterans among them know they will be damned if they do and damned if they don't. From one direction will come criticism if taxes go up and from another will come screams of protest if services are cut.

Their lot, like that of any budget maker, is not a happy one. The Legislature's collective conscience must be the final dictator for what items can be pruned from the Governor's supplemental budget and what cannot, of what is primary importance and what is secondary.

It is far too early to second guess legislative action which has yet to take place. But in view of the Appropriations Committee's decision to cut \$400,000 from the expanded welfare item in the supplemental budget, a warning finger should be raised.

Governor Muskie was not acting as an individual in asking for more aid for the aged, for improvements in conditions at the Augusta State Hospital, for more money for the board and care of neglected children, and for funds to give a fairer shake for the forgotten boys at the State School for Boys at South Portland. He was acting at the behest of thousands of Maine citizens who have in the past two years become increasingly concerned with the plight of institutional inmates.

The institutions have no paid lobbyists, and those who live in them have no voice in government. That's why we say it is a matter of conscience among those who do have voices in deciding the extent and nature of services to be rendered by the government of Maine.

We are all for economy. But it would be false economy to in any way slow down the progress toward better institutional care so effectively started by the Maine Legislature two years ago."

There are other editorials that are practically in the same light.

If you would please take your amendment which is filing number 509, I will try very briefly to ex-

plain to you what this amendment does and the exact costs which I know you are all very much interested in. If you will just take a pencil and number them one down through nine, for there are nine categories here or classifications here, I will take them up in order.

Number one is Health and Welfare Administration. The dollars contained in this amendment provide for additional caseworkers and casework supervisors necessary to implement the nursing home care for the aged, the blind, the disabled, and child program and to provide for other small expanded services.

The next item is Board and Care of Neglected Children. Now the dollars contained herein provide for additional child welfare workers and for an increased payment to foster homes from \$30.00 per month to \$10.00 per week or approximately \$43.00 a month. Now I may be wrong, but it is my understanding that the \$150,000 per year recommendation contained in the supplemental bill 1594 provides for \$9.00 a week allowance or \$39.00 a month.

Item number three, Old Age Assistance. The funds contained in the amendment provide the dollars requested by the department in sufficient amount to further liberalize

Item number four, the Elimination of Citizenship Requirement. The dollars provided merely restore the amounts requested by the department to provide sufficient funds to eliminate the citizenship requirement.

Item five, Aid to the Blind. The funds contained in the amendment provide the dollars requested by the department in sufficient amount to our present financial responsibility further liberalize our present financial responsibility program.

Item number six is Aid to the Disabled, and the funds contained in the amendment provide the dollars requested by the department in sufficient amount to further liberalize our present financial responsibility program.

Item number seven is Aid to Dependent Children, and the funds contained in the amendment will provide a reasonably adequate medical care program. These funds will be matched dollar for dollar by the

federal government. At the present time the federal government has available and allocated to the State of Maine \$360,000 annually federal funds for this purpose. The dollars provided will not exceed the federal maximum matching program.

Item eight is Institutional Service, the Augusta State Hospital. The funds contained in the amendment provide key professional personnel to adequately meet rehabilitation requirements.

Number nine is the Pownal State School, and the funds contained in the amendment allow ninety-five added positions to provide a minimum rehabilitation program and to more nearly provide adequate employee coverage, which is merely trying to make useful citizens out of those unfortunate ones.

Mr Speaker and Members of the House, I could stand here and speak for a long, long time on a thing that is so important to all of us, and in the hope of expediency, and fully realizing that these are problems of all of us, regardless of race, regardless of creed, regardless of party alignment, I move the adoption of this amendment, Mr. Speaker, and when the vote is taken I hope it will be taken, and I move that it be taken, by a division.

The SPEAKER: The gentleman from Brunswick, Mr. Walsh, has offered House Amendment "A" to Senate Paper 591, Legislative Document 1594, Bill "An Act Making Supplemental Appropriations for Expenditures of State Government and for Other Purposes for the Fiscal Year Ending June 30, 1958 and June 30, 1959" and the gentleman moves the adoption of House Amendment "A"

The Chair recognizes the gentleman from Yarmouth, Mrs Knapp.

Mrs. KNAPP: Mr. Speaker and Members of the House: As Chairman of the Public Health Committee I feel I must say a few words. We visited these institutions and the Committee fully realizes that they are understaffed. I want to speak in favor of all of these institutions and specially Pownal State School. As you all know I was Pharmacist there for nearly one year and all of these facts that I am giving you are true.

In one building there are two hundred children. The full staff in that building means two attendants, two cottage supervisors and two assistants. At present there are two supervisors, two assistants and twelve attendants.

In another building there are forty-two cripples and thirty-eight epileptics — about two hundred. Now you can imagine what care these people get. Think of the time it takes to just wash their faces, say nothing about feeding them. There were several accidents that happened when I was there that I am sure could have been avoided. One was a bad scalding that a young lady got. If there had been further attendants there this would not have happened. She was put in a bath tub to be given a bath with one attendant and about a hundred other children there. The attendant left to get a towel for this young lady, and another patient turned on the scalding water. It resulted in the death to the young lady, and I say this was avoidable to the fullest extent had there been attendants there.

In another case a pail of water fell from a shelf of a window and struck a child, badly injuring it. If there had been attendants there that wouldn't have happened. There are broken arms and broken legs and accidents without number because they are understaffed. We appropriate money for the roads, parks and schools for the fortunate. I see no reason why the unfortunate shouldn't be given the same consideration, and I am in favor to the fullest extent of this amendment of the gentleman from Brunswick, Mr. Walsh.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I certainly can appreciate the work that has been accomplished by the Appropriations Committee. It is certainly a known fact that they have met not only every afternoon during the session but many, many evenings. I am also aware that they have deliberated over each and every measure at length. My issue certainly is not with that Committee.



I feel however, that many times cuts such as these have had to be entertained due to the fact that the money was not available. Insofar as I am concerned, I appeared before the Taxation Committee and was one of the few who spoke in favor of the raising of the sales tax from two to three per cent. I intend to speak for it on the floor of the House. I intend to vote for it. If a breakdown would be made as to what we have for existing revenues coupled with the money we will get from the raise in the tax, and also deducting what in my opinion are several measures calling for money that will be passed, it still leaves us a good cushion for several of the L. D.'s that some members have calling for money, and also can assure us of a workable surplus at the end of the biennium. As a personal reason for my stand is that I can hardly find myself in the position to go back home and say that I imposed a tax on the people that sent me here and by the same token neglected to some extent to pass and go along with measures somewhat emotional but very much needed. For that reason I wholeheartedly concur with the gentleman from Brunswick, Mr. Walsh.

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

Mr. CROCKETT: Mr. Speaker and Ladies and Gentlemen of the House: I am heartily in favor of the amendment of my good neighbor and colleague the gentleman from Brunswick, Mr. Walsh. Pownal State School is in my district, part of it. I am very familiar with the conditions up there that are existing, and as you heard the gentleman from Yarmouth, Mrs. Knapp say, it is terrible. You and I as members of society owe these poor unfortunates a debt and you and I are the only ones that can correct it and straighten it out, and I am certainly in favor of the amendment of the gentleman from Brunswick, Mr. Walsh.

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

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: I concur with the remarks of the gentleman from Lewiston, Mr. Jal-

bert, in regard to the Appropriations Committee. Nobody in this House I don't think appreciates any more than I do the work that they have done this session. During the last session when I got home the compliments that I received was the great work that we did here for the institutions. We can all thank God today that we have got our health physically and mentally. As I look at it, your wards of all those people in those institutions. Are we going to let down what we started the last session, the great improvements that we gave those institutions? Are we going to be here today and not be lobbied on this bill because they can't be here, those unfortunates, to lobby us? Remember, we are all alive today and God knows where we will be next week, next month or next year.

I was talking to one of the members this morning of that great committee and he gave me his reasons, and they were all sound reasons. Before we vote on this amendment of the gentleman from Brunswick, Mr. Walsh, I want you to give it careful consideration, because this is your responsibility for those people, and I feel deeply about this and I hope you will go along with the amendment.

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

Mrs. BURNHAM: Mr. Speaker, I can't speak too strongly in favor of the appropriations for these institutions. There was one particular purpose in my mind when I came down here. That was to carry out this work that had been started in the last legislature. I speak also for the Maine Federation of Women's Clubs who started this study quite a few years ago. They have appeared before the Appropriations Committee and other appropriate committees when occasion arises. They are heartily in favor of anything that we can do in this legislature to alleviate conditions in our institutions which are being improved as fast as possible to the great credit of the personnel who are working in them under most adverse conditions, with inadequate room and so forth. I do hope that this legisla-

ture will remember that we, every one of us, are lobbyists for those people, they can't appear before us. We are their representatives, we have to help them. If you don't pass any other bills that take any money in this legislature, I do think you must do that. Any special interests that we may have should be subordinated to this particular thing.

The SPEAKER: The Chair will advise the House that everyone will get a chance to speak, but the Chair can only recognize one at a time. The Chair recognizes the gentleman from Bangor, Mr. Quinn.

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: I want to rise in support of the amendment of the gentleman from Brunswick, Mr. Walsh. I have had occasion to visit these institutions; I know what life is there, and thank God I have good health.

I know last year we went down to Pownal and in some of those rooms there were seventy or seventy-five handicapped people, not only handicapped physically but mentally, with only one attendant to look after them. Now we are here to do a job for all the citizens of the State, both the fortunate and the unfortunate, and they have to get through our legislature, and we owe a duty to see that those poor unfortunates who will always be such are made as comfortable as possible.

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

Mr. BEAN: Mr. Speaker and Ladies and Gentlemen of the House: I feel that while I am not going to debate the pros and cons of this measure because when you get into sympathy it can go a long way. I can assure the members of this House that the members of the Appropriations Committee have just as much sympathy for those poor unfortunates in this State as anyone else. However, we did spend long hours in considering first the balanced budget which came out as you folks know with a recommendation of over eighty-five millions of dollars for the next biennium. We then took into consideration the supplemental budget which carried a recommendation if it passed in its

entirety of approximately fifteen million more for the biennium. We took into consideration several of the worthwhile L. D.'s requiring additional appropriations and we also took into consideration the ability of the taxpayers of this State to pay. We all hope that conditions are going to continue whereby we will all have more money to spend, but with economic conditions as they are in the State of Maine, the Committee had to draw the line somewhere. We couldn't let sympathy be our final guide.

Some of these expenditures which this amendment will put back in our opinion will be impossible to attain because of the impossibility of getting the added personnel, especially in the nursing homes. That statement came to us from the Commissioner of Health and Welfare himself, that he would be glad to put on more help if the help was available, but the kind of help needed was not available. We feel that while we were not able to do everything that we would have liked to have done, we still feel that the Committee went about as far as it could possibly go, recognizing the ability of the taxpayers of Maine to pay the bill.

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

Mrs. HARRIMAN: Mr. Speaker, the gentleman from Brunswick, Mr. Walsh, has said that human nature is emotional. In this case I must say that we are emotional, especially the women. If they had cut anything else I wouldn't have said a word, but to cut the appropriation for Pownal State School now called Pineland State Hospital and Training Center, that I have got to say something against. Each one of us should consider that by the grace of God, there go I. It happens that our first baby had it lived, would have been an inmate of Pownal State School, and after going down there it was difficult to sleep at night.

I am not so concerned with those children or those growing men, we speak of them as children, they range from the age of five to seventy something. They will always be inmates, they will die there, some

of them. But there are reclaimable ones, and it is the reclaimable ones that bother me the most. Those children there if they could have the proper instruction and be taught by people who are prepared to teach children of this caliber, are reclaimable some of them, and it is those that made the greatest impression upon me. When you see children that are starving for affection and nobody has time to give them affection, when you have children that show a certain glimmer of mentality and have no one to teach this mentality, that is the worst, and I definitely hope.

And another thing I must speak of is the South Portland School for Boys. Those kids in there are adorable. If I had the money I would adopt them all. And they are starved for love and affection and they are taken care of beautifully. The only trouble with the South Portland School for Boys is the lack of money and funds to do what they strive to do. Those two schools are as entirely different as black from white, and I think that if we do nothing but go home and feel that we have at least salved our conscience, I don't mean salved our conscience done the thing which we think is our duty to do, I can take all the kicks that come to me.

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

Mr. ROLLINS: Mr. Speaker, I would ask permission to approach the rostrum.

The SPEAKER: The gentleman may approach the rostrum.

(Conference at rostrum)

The SPEAKER: The Chair would request the gentleman from Brunswick, Mr. Walsh, to meet with the Speaker in the Speaker's office together with the two gentlemen that are at the rostrum.

### House at Ease

Called to order by the Speaker.

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

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

Mr. STILPHEN: Mr. Speaker and Ladies and Gentlemen of the House: I rise to lend my support to this

amendment. I would like to speak particularly to the item of Board and Care of Neglected Children. We have heard much on the floor of the House here in the past day or two relative to the welfare of our children in the State of Maine.

The item for board and care in this amendment is intended to increase to ten dollars per week payments which the Department of Health and Welfare is making to 1,200 foster parents who are boarding some 1,800 children for the State. The majority of these people are now receiving less than a dollar a day for this service. As a matter of fact, the average payment is only slightly more than thirty-two dollars per month.

Foster parents rank among the highest in those groups who give service to Maine, and they are among the most unsung. These children, who are your wards and mine, have been so seriously neglected by their own parents that a court has found it necessary to remove them from their own homes. Anyone who has had experience in caring for a child not his own knows that the task is not easy. Think of how difficult it is to care for a child who for four, six, eight or ten years, or even longer, has been battered, unwanted and unloved. Half of these children are between twelve and eighteen years old.

All of us believe that children have a right to parents. Through its Child Welfare Program, the State of Maine attempts to provide foster parents for those children whose parents are not equal to the job.

No one thinks that ten dollars a week will compensate these dedicated people. The intent of this proposal is simply an attempt to reimburse them for out-of-pocket expenses. In addition to providing food and shelter and parental care, foster parents are expected to provide for such things as haircuts, recreation, school expenses, church contributions, toilet articles, etc.

At best it is difficult to find good foster homes. Dr. Fisher has told me that his department knows that many of the best foster parents have been keeping these children for the last year and a half or so only in anticipation of this increase. It is logical that in addition to pa-

rental care, the best foster parents are those who provide more in the way of out-of-pocket expenses. If the increase is not made, some homes will be lost.

It is my sincere conviction that this is a critical problem and that the only answer is to provide the money.

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

Mr. FULLER: Mr. Speaker and Members of the House: I think someone should come to the support of the Appropriations Committee. I realize that those members have worked hard and long and even worked nights and Sundays. They have listened to all of these department heads, and they have tried to cut the cloth to fit the pattern. I know perhaps everyone of these members of the Appropriations Committee intimately, and I have the utmost faith in their ability, and I say that if you start amending this bill you may end up in left field like we have several other times. Those of us who have been around here for a good many years know what happens when you start amending an appropriations bill.

These people have spent four or five months debating and discussing and meeting with department heads and from some of these people who talked here this morning one would think that the Department of Health and Welfare and Institutions were being cut. Now I have all the sympathy in the world for these youngsters and I realize that they need help, but if we spend twice the amount of money that we are spending they would still be crippled and hopeless youngsters and we still would not be able to do very much for them, and I think it is just a matter of trying to be sane on this thing. This is a tear jerker if there ever was one, and I would like to ask a question through the Chair from any member of the Appropriations Committee, how much the Health and Welfare Department and how much institutions are being increased from two years ago?

The SPEAKER: The gentleman from South Portland, Mr. Fuller, has asked a question through the

Chair to any member of the Appropriations Committee who may answer if he chooses. The Chair recognizes the gentleman from Bangor, Mr. Stanley.

Mr. STANLEY: Mr. Speaker, Ladies and Gentlemen: To answer the gentleman's question, and I am glad that he brought up the point of cut because there has been no cut in this appropriation. The people that we are speaking about today, the people who are taken care of by this money that we appropriate will be receiving \$1,700,000 per year more than they did in the last biennium. May I speak further?

The SPEAKER: Does that answer the gentleman's question? The Chair recognizes the gentleman from Bangor, Mr. Stanley.

Mr. STANLEY: Mr. Speaker, I know that when I had the privilege one day of being on the rostrum, the thought came to me of what a reasonable group of people we really have here. I think the members of the Appropriations Committee are probably on the average the same as the rest of the people in this House. I think that they are reasonable people. Two of us on the Committee sat with the Governor on his budget and helped to prepare that budget. We listened to each department. We listened to Dean Fisher, Norman Greenlaw, all the other people who are connected with these departments. We had time, at that time, to consider the various appropriations that should be made or that were necessary to be made. The Governor's budget, of course, cut what the department head requested. The Appropriations Committee has cut somewhat from what the Governor requested. I think that is the purpose of an Appropriations Committee, to go over these things and to determine in their best judgment what they feel is best for the State of Maine.

Certainly these people that we are appropriating money for are deserving people and it is up to us to take care of them. I feel that what we have done as a Committee is a fair and an intelligent approach to the situation. I think that the gentleman from Brunswick, Mr. Walsh, made an excellent presentation of his case. One thing that I would take exception with is on the aid

to dependent children. The Governor requested a five per cent increase on all four of the categories, on four of the categories he asked for five per cent increase. The five per cent increase would bring this over the maximum amount the federal government will participate in. The Appropriations Committee came up with what they thought was the best solution in providing medical services which the federal government will participate in.

I think the fact that we have increased the budget on these particular items in the amendment by \$1,700,000 for each year is something that nobody can be ashamed of, and when we leave these halls in a few days, I think we can be proud of what we have done, that certainly we have carried on the tradition of the Ninety-seventh Legislature.

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

Miss CORMIER: Mr. Speaker and Members of the House: If it were a question of cutting the cloth to fit then I would say definitely that the Appropriations Committee was perfectly justified in its stand. However, I feel that we are not faced with this problem. The basic recommendations in the inaugural address were these that are before us this morning, and it was for this purpose primarily that we were urged to raise the sales tax an extra penny.

Now, as far as the aid to dependent children is concerned, the appropriation is for \$50,000 each year which would make a total of \$100,000 for the biennium. Now, this \$100,000 is to operate a medical care program for 10,000 children. In other words, I understand that the department agrees that this, that it would be doubtful if such a sum would even provide for dental care to say nothing of the tremendous medical program that the department tries to carry out for these dependent children. I think that it is not the intent of this legislature to build a kitty and have a tremendous amount of money, a balance two years from now. I think rather that it is the intent of this legislature to raise sufficient funds which we would do provided we raise the sales tax an extra pen-

ny to take care of all these things that are listed in this amendment, and because I feel that it is the consensus of this group to go along with the sales tax we cannot go home and not take care of these cuts. I think that we will still have a cushion of some \$800,000 to take care of worthy LD's, and I think that if we are going to do our job and do it well that we certainly should go along with this amendment.

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

Mr. TOTMAN: Mr. Speaker, Members of the House: We have arrived at that point in the session where we probably have the most important money bill in front of us. I feel somewhat, rise as I do, to say anything not in favor of this amendment is somewhat like attending a rally for a recently returned hero and having the audacity to stand up and denounce him. I certainly do not wish to denounce this amendment. I think this amendment is affecting people who deserve as much consideration as we can afford to give. The proponents for the people who are affected might make me appear to be in the position of being opposed to those groups of unfortunate children and people that I personally requested this legislature to visit last session. I have been to Pownal. I have been to the state hospital, and believe me, I wish we could have cut this budget somewhere else rather than here, but there is always, as the gentleman from Chelsea, Mr. Allen, said the other day, there is always two sides to the story. I am not going to give you a long list of statistics, but I am going to point out to you one or two fundamental points of policy.

You were given a budget message address by our Governor on January 10. I, personally, have tried to make that a textbook in studying what we are going to do in passing this bill with or without amendments. I would like to confirm the statement that probably has already been said here at least once this morning. Last session we appropriated \$73,000,000. This session the balanced budget, not the budget in

front of us, the balanced budget was boosted up to \$82,000,000. That was step number one, and the Governor himself, I quote one sentence, said about the current balanced budget: "The appropriation request did include request for expanded, improved and new services in addition to current services." Now that is the balanced budget which you have already passed.

Now we come to the document in front of us called the supplemental budget and as the word very clearly explains, it is supplemental, and at this point with some temerity I inject the word taxpayer, although apparently it is not too popular this morning. The question is, how supplemental are we going to be? Apparently the sentiment in the House this morning, to be frank about it, is very much in favor of every cent that was originally requested. Again, I would like to read the statement of the Governor. In his message he said: "It is your decision, of course, whether all or any part of the supplemental budget shall be approved." In other words, as a realistic governor, I suspect he realized from precedents that other legislatures have not seen fit to give one hundred per cent of what was requested. How much in effect does the Appropriations Committee who we have heard defended, extolled here this morning, and I am certainly one of those who does because I know personally that my roommate has come home many nights late from being at Appropriations meetings in the evening, how much have they cut this above supplemental budget? I understand .03 per cent.

I have been in this House and heard the gentleman from Lewiston, Mr. Jalbert, almost singlehandedly stand up here and defend the cuts that he made on the Appropriations Committee when he was a member and do an excellent job. I feel that the members of the Appropriations Committee are in a very unenviable position to have to cut the budget obviously, but when they cut it only three per cent, the supplemental one not the current one, the supplemental one, only three per cent and give us ninety-seven per cent, I don't think that you will call the

Appropriations Committee, or me for standing up here, hardhearted, unreasonable, and cruel to these very worthy groups.

Now, if I felt that this House was closely split on this question, I would make the usual move that this amendment be indefinitely postponed. I shall not make that move. I shall expect you people to vote individually on the division vote requested by the gentleman from Brunswick, Mr. Walsh. I would just add one final point. Many of you have indicated that you do not want to finance this highway bond issue we have passed by raising drivers licenses, et cetera. Many of you are hoping that we will be able to take the million dollars out of the general fund. I would just point out to you that if you cannot cut the supplemental budget by a small three per cent, where do you honestly and sincerely think you are going to find that million dollars? So, when you vote for this amendment, as I expect you will, I think you are definitely decreasing the chances of taking that million dollars a year out of the general fund to prevent raising the drivers license fees. I do not cite that as an example to try to sway you or pressure you, I simply point it out because I think you ought to know it, and I sincerely hope that when you do take this vote, it will be on division. I do not object to a roll call, but I feel we have progressed far enough on legislation today that a division will answer the purposes, and Mr. Speaker, I hope that the question will be put soon, but I do not move the previous question.

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

**Mrs. SMITH:** Mr. Speaker, I realize and I feel that there is the same question in a great many peoples minds that is in mine so I am going to ask a question regardless of how foolish it may seem. I think that most of us realize that the problem, especially of Pownal, are in obtaining attendants. I believe that they could have more attendants than they now have if they could hire them, but they cannot hire them at the low scale of wages that they are forced to pay. Now, it has been my understanding that

they cannot increase those wages, and I say I do not understand, I am speaking ignorant, but it is my understanding that these wages cannot be increased without increasing it up the full scale.

Now, a small percentage increase means nothing on \$44 a week. The nub of the problem is how can we raise these wages? Now, I am inclined to think that this amendment does not solve that problem, that it only gives more money to the department and the right to hire more attendants which is of no practical use to them since they cannot hire the proper number of attendants now. I think the emotional part of this is based on the fact that we want some way made in this pay scale, some change however it may have to be made, so that these attendants in these very lower brackets can be paid enough so they will go there and work. That is the problem. It seems to me now, I may be wrong, but that is the way I see it.

The SPEAKER: Is the gentlewoman asking a direct question?

Mrs. SMITH: Mr. Speaker, yes, I think we need it cleared up.

The SPEAKER: The gentlewoman from Falmouth, Mrs. Smith, has addressed a question through the Chair to anyone who may answer if he chooses. The Chair recognizes the gentleman from Bangor, Mr. Stanley.

Mr. STANLEY: Mr. Speaker, Ladies and Gentlemen: In answer to the gentlewoman's question, I might say that there is now on your desk probably an amendment to the pay plan with my name on it which would take care of some of the difficulties, at least in my opinion, that we have recruiting people to work in these institutions. May I continue, sir?

The SPEAKER: Does the gentlewoman consider her question answered?

Mrs. SMITH: I am sorry. I realize that we have the amendment. I just want to know if we are really going to get this done?

Mr. STANLEY: This particular piece of legislation that we are speaking on now will have nothing to do with the pay of the people in these institutions. The monies requested and the monies appropriat-

ed here are for the complete operation of these various agencies. They take in added personnel, but no added improvement in pay.

Mrs. SMITH: May I ask one more question?

The SPEAKER: The gentlewoman may proceed.

Mrs. SMITH: I take it that when we give money for personnel, it is at the discretion of the administrative head to select whatever categories of personnel he wishes to spend that money for?

Mr. STANLEY: The gentlewoman is correct. The Appropriations Committee went over the request, and we went through item by item the particular people that they wanted to recruit for certain jobs. One instance that I can think of at Pownal, they asked for fourteen people in a particular category of which they have none at the present time. We granted them nine. Whether that was right or not is still a question in my mind because they have none of those people in that category at the present time. They asked for fourteen and we granted them nine, which I think is a very just thing to do. The gentlewoman from Rumford, Miss Cormier, mentioned the fact that we should not build up surpluses, but I might point out to the House that if we hadn't had a surplus at this present time, we would not be building any buildings at Farmington State Normal School, Gorham State Normal School, or building buildings anywhere else, because there are no provisions made for capital improvement outside of the unappropriated surplus.

If we spend the exact amount of money which we appropriate, there will be no surplus for any buildings and you notice that we had requests for \$28,000,000 worth of buildings this year, and on your desks this morning is the capital budget which would take care of some \$13,000,000, which leaves another \$15,000,000.

It is a shame that we have to cut in this particular place, but if we did not cut somewhere, why we would all be working for the state. I remember that Herbert Hoover when he was President returned all of the money paid him as a salary to the federal government. He worked without pay, and since that time

it seems that everybody has to pay back their salaries, and that is what we would be doing if we did not cut these things. It is unfortunate that it has to be cut in this particular place, but if we didn't cut them here, we would have to cut them in education, and I feel that we have a great deal bigger responsibility to the people who are able to take care of themselves and those who will be able to provide for those who can't take care of themselves than we do for those particular people that we are talking about now.

The SPEAKER: The Chair recognizes the gentleman from Charleston, Mr. Rich.

Mr. RICH: Mr. Speaker, I think perhaps I am a little slower this morning in figures than I thought I used to be, but I would like to inquire the price tag on this amendment.

The SPEAKER: The gentleman from Charleston, Mr. Rich, has addressed a question through the Chair to anyone who may answer if he chooses. The Chair recognizes the gentleman from Brunswick, Mr. Walsh.

Mr. WALSH: Mr. Speaker, in answer to that question, as near as I can figure out, it will be \$451,000.

The SPEAKER: Does the gentleman consider his question answered?

Mr. RICH: Was that for the biennium or for each year?

The SPEAKER: The gentleman from Brunswick, Mr. Walsh, may answer if he chooses.

Mr. WALSH: That is correct.

The SPEAKER: The question was, is that figure per year or for the biennium?

Mr. WALSH: For two years.

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

Mr. STANLEY: According to the amendment it would be the same amount for each of the two years.

Mr. WALSH: That is correct. I am sorry that I misinformed the gentleman from Bangor, Mr. Stanley, he is absolutely correct.

The SPEAKER: Does the gentleman consider his question answered? The Chair recognizes the gentleman from Kittery, Mrs. Burnham.

Mrs. BURNHAM: Mr. Speaker and Members of the House: I will frankly confess that due to the respect that I have for the members of the Appropriations Committee and the work that they have done, I am confused as to this issue a little bit and to the impact on what we as women are trying to do and have talked about so much, and in view of the fact that so many times during this legislature, I have heard acts postponed in order that we may study certain issues, I would like very much to have a little more time to understand a few of the impacts of this particular piece of legislation, and would it be in order to ask if we may have more time to study it?

The SPEAKER: The Chair would suggest to the gentlewoman that she might accomplish her purpose to some extent if she made a motion at this time to recess.

Mrs. BURNHAM: May I do that?

The SPEAKER: Such a motion is in order and is of course debatable and must be acted upon.

Mrs. BURNHAM: Mr. Speaker, I make a motion that we recess until two o'clock.

The SPEAKER: The gentlewoman from Kittery, Mrs. Burnham, has moved that the House recess and reconvene at two o'clock. The Chair recognizes the gentleman from Belfast, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, I am not opposed to the recess motion, but I would like to ask a question before we recess.

The SPEAKER: The gentleman may state his question.

Mr. ROLLINS: As I added that up it looked like \$1,605,000, that would be \$800,000 a year. Is that right or am I incorrect?

The SPEAKER: The gentleman from Belfast, Mr. Rollins, addresses a question through the Chair to anyone who may answer if he chooses. The Chair recognizes the gentleman from Bangor, Mr. Stanley.

Mr. STANLEY: Mr. Speaker, Ladies and Gentlemen: I think probably the gentleman has listed the items that would go in and has not subtracted those that should be taken out of the supplemental budget. I think the gentleman from Brun-



wick, Mr. Walsh, gave you the approximate correct figures.

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

Mr. WALSH: Mr. Speaker, I am not opposed to the recess motion at all, but I would like to clarify just two points before we do recess. First, just amplifying a bit on what the gentleman from Bangor, Mr. Stanley, has said, if during the recess you will take L. D. 119 which is the original supplementary budget document and take L. D. 1594 which is the report coming out of the Appropriations Committee, then you will have the two figures placed before you, and take your amendments with you, it will be much easier to understand the whole bill. The L. D. as it originally came out was 119. The L. D. as reported out of the Appropriations Committee was 1594. The amendment, I think you all are familiar with the number, is filing number 509. You who desire to study this take those three and lay them down side by side, you can see what was put back in and what was not put back in.

As far as the question of the gentleman from Belfast, Mr. Rollins, is concerned this amendment is in addition to what was approved by the Appropriations Committee in L. D. 1594, if that answers that question.

On the question of aid to the dependent children, you will note in the original document L. D. 119 that there was the item of five per cent across the board. You will note in the amendment that the five per cent across the board is deleted and is not in there, and there is no intent in any way of putting the five per cent across the board. I will repeat what I said to you before on that item. The funds contained in the amendment will provide a reasonably adequate medical care program. These funds will be matched dollar for dollar by the federal government, and at the present time the federal government has available and allocated to the State of Maine, \$360,000 annually federal funds for this purpose. There is no intent, the five per cent has been deleted and taken right out of there. In reference—I don't fully remember all of the words of the gentleman from Bangor, Mr. Totman,

concerning the current budget message on services, and so forth, might have been a little bit confusing there for it stated right in the budget message under current services that "nevertheless the appropriation request did include request for expanded, improved and new services in addition to current services." This is a request, so this was not all completely included there in the current service budget. Those are the only points I wanted to make to you, some of which I think might be helpful to you before you give this consideration during the recess period. Thank you.

(Off record remarks)

The SPEAKER: The Chair now understands the gentleman from Kittery, Mrs. Burnham, renews her motion that the House recess and reconvene at two o'clock. Is this the pleasure of the House?

The motion prevailed and the House recessed until 2:00 this afternoon.

#### After Recess 2:00 p.m.

The House was called to order by the Speaker.

On the disagreeing action of the two branches of the Legislature on Resolve Authorizing Attorney General to Investigate Title to Certain Island in B. Pond, Piscataquis County (H. P. 614) (L. D. 861) the Speaker appointed the following Conferees on the part of the House:

Messrs. DUDLEY of Enfield  
ROLLINS of Belfast  
HARRIS of Greenville

On the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Portland University" (H. P. 1026) (L. D. 1458) the Speaker appointed the following Conferees on the part of the House:

Messrs. CHILDS of Portland  
WALKER of Auburn  
BRODERICK of Portland

The SPEAKER: The House is proceeding on the matter on which it was engaged this morning, item two under Third Readers, Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes

for the Fiscal Years Ending June 30, 1958 and June 30, 1959", Senate Paper 591, Legislative Document 1594.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Some of us worked on the figures in that it concerns the price tag on the Walsh amendment. The figures that I had is where it concerns the Health and Welfare Department and Institutional Services. It is \$574,999 for the first year and \$634,300 for the second year. In other words, it is putting back where it concerns the administration of the Health and Welfare, Board and Care of Neglected Children, Western Maine Sanatorium, Old Age Assistance, Eliminate Citizenship Requirement, Aid to the Blind, Aid to the Disabled, Aid to Dependent Children, and Institutional Services at the Augusta State Hospital and Pownal, both on the basis of personal services, and all others in that it concerns the categories it means that it will be permissible to have more people who are deserving to go on the ranks. The question has arisen in the corridors as to the Personal Services item,—should this money not be expended or should the help not be hired? The department heads claimed very definitely that they can hire and will hire these people. In so far as being able to use the money wherein it concerns Personal Services the only way that that can be done is clearing through the Finance Commissioner and also with the approval of the Governor and Council, which has been done on occasions where it was necessary and where the money was available to use for other purposes.

I would also like, reading from the Governor's Budget Message in that it concerns the Current Services Budget. The Gentleman from Bangor, Representative Totman, read to you the following words: "Nevertheless the Appropriations request did include requests for expanded, improved and new services in addition to current services." And if my memory serves me correctly he stopped there. Continuing those remarks it says, "In order to present the current services budget, therefore, it was necessary to review

these requests and to eliminate, for this purpose, all but current services. This was done and, as you will note the resulting figure is \$82,265,022, or, \$8,746,646 less than the appropriation requests.

This concerns the departmental requests and naturally in order to go along on the theory of Current Services these departmental requests that have been stepped up had to be deleted, and were deleted. I merely thought that I would explain that. Also the question has arisen in so far as it concerns certain classifications, the attendants, the engineers, and one or two other groups who are not on the level, so the claim is of the other state employees. The gentleman from Bangor, Representative Stanley, mentioned, and rightfully so, that the measure he has on the table which concerns retroactivity and also a four and one-half per cent increase will take all of the state employees but will still leave in my opinion those employees that are down, in so far as classification is concerned, where they are now. And it is the thought that the survey and the study must and should be made of these classifications which takes a great deal of time because it requires going into the various provisions and going to the personnel board and working with the departments involved. And so that finally this program might come to pass.

And the thought was that possibly if the Maine Building Authority Bill had passage, not to want to get away from the subject and make a pitch for another bill, but some feel if it does not it might curb and harm the Department of Industry a great deal, we would have to appropriate the money and the only way we could do it is to meet in special session a few days or a few weeks after the referendum. That then survey could have been made and could be made in the meantime and this adjustment could be entertained then for your approval. The Stanley tabled measure partially would take care of those people in giving them more money but it still would not bring them up to that level. I thought I would explain those figures and I think if I am wrong the gentleman

from Bangor, Mr. Stanley, would correct me.

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

Mr. STANLEY: Mr. Speaker, I don't wish to correct the gentleman or make any comment on his remarks. I notice the absence in the room of at least five women who spoke against me this morning and in order that they could be here, so that I could enjoy this more, I would move that we table it until later in the day when the women come back.

The SPEAKER: The question before the House is the motion of the gentleman from Bangor, Mr. Stanley, that Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1958 and June 30, 1959" be tabled and especially assigned for later in today's session, pending the motion of the gentleman from Brunswick, Mr. Walsh, that the House adopt House Amendment "A".

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

A viva voce vote being doubted,

A division of the House was had.

Seventy-four having voted in the affirmative and sixteen in the negative, the motion prevailed and the Bill was so tabled.

### Third Reader Amended

Bill "An Act relating to Location of Harness Race Meets" (H. P. 819) (L. D. 1162)

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

Mr. Childs of Portland presented House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 819, L. D. 1162, Bill, "An Act Relating to Location of Harness Race Meets."

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

'R. S., c .86, § 11, amended. Section 11 of chapter 86 of the Revised

Statutes is hereby amended by inserting after the 3rd sentence thereof, a new sentence, to read as follows:

'The location stated in such license where the race or race meet is to be held may be transferred to any other licensee on the dates set forth in the license during which such racing can be conducted, but with respect to such a transfer, the transfer shall only be made to another licensee and said licensee shall be liable for compliance with all laws and regulations governing the conduct of harness racing.'

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

### Third Reader Tabled and Assigned

Bill "An Act relating to Premiums to Commercial Poultry Growers" (H. P. 1019) (L. D. 1453)

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

(On motion of Mr. Elwell of Brooks, tabled pending passage to be engrossed and specially assigned for tomorrow.)

### Finally Passed

Resolve Appropriating Moneys to Aid Construction of Dormitory at Higgins Classical Institute (H. P. 527) (L. D. 755)

Resolve for Repairs to Teachers' House at Peter Dana Point, Washington County (H. P. 1097) (L. D. 1596)

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

### Third Readers Amended Tabled

#### Until Later in Today's Session

Bill "An Act relating to Minimum Wages" (S. P. 583) (L. D. 1583)

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

Mr. Emmons of Kennebunk presented House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 583, L. D. 1583, Bill, "An Act Relating to Minimum Wages."

Amend said Bill in that part designated "Sec. 132-B" by adding at the end of subsection III a new underlined paragraph to read as follows:

**'H. Any individual customarily receiving gratuities in the form of tips.'**

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

MR. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Some of the opponents of this measure mentioned yesterday that already there were so many exemptions that no one was covered. Of course that is not so in my opinion. One of our honorable colleagues said that we were hiding under a subterfuge of exemptions, and he said that certain people might favor this if it would just be across the board. In my opinion that is the negative approach of several of the members of the opposition because in reality, in the final analysis, I doubt if very many people would approve of across the board minimum wage. Certain exemptions are certainly desirable, such as domestic help, hospital help, students and persons receiving commissions.

In line with this I do favor Amendment "B" which will be offered shortly, because that includes just nursing homes. But for those who want to kill this bill they certainly can amend it to its natural death. For instance last year, although I felt the same way, there were so many amendments that I personally moved the indefinite postponement. Now this amendment just offered now, House Amendment "A", would exclude some of the most deserving cases, such as certain helpers, chambermaids, elevator operators and so forth.

Now the law as written in Section five says that in the computation of wages, tips and gratuities shall be considered. In my opinion this adequately takes care of this situation. The burden of proof is on the employee. If his wages and tips don't equal seventy-five cents, he may enter a complaint. It is more or less of the honor system. I trust the

working people in the State of Maine and I don't believe there are very many of them that will try to cheat and enter a false claim. And I now move the indefinite postponement of this amendment.

The SPEAKER: The question now before the House is the motion of the gentleman from Bath, Mr. Ross, that the House indefinitely postpone House Amendment "A".

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

MR. EMMONS: Mr. Speaker and Ladies and Gentleman of the House: This amendment was put in because Brother Hanscomb, the gentleman from South Portland, and I felt that it should be put in because it would be so difficult for an employer to defend himself in case of a claim. It is obvious that many people who receive tips—perhaps it isn't obvious but I know that many people who do receive tips would be very dubious about declaring the full amount of their tips. And for that reason this amendment was offered to perhaps make this bill a little more acceptable to some of the most strenuous opponents, that is the people who run hotels, restaurants and places where their help do customarily receive tips, and I think that the word "customarily", although it is open to interpretation, I think that takes care of the objection of the gentleman from Bath, Mr. Ross.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Bath, Mr. Ross, that the House indefinitely postpone House Amendment "A" to Senate Paper 583, Legislative Document 1583, Bill "An Act relating to Minimum Wages".

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

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

Forty-five having voted in the affirmative and fifty-nine in the negative, the motion did not prevail.

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

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

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

Mr. HANSON: Mr. Speaker and Members of the House: The gentleman from Lovell, Mrs. Harriman, and I were very concerned over the nursing homes and convalescent homes and so forth because there are many now that have patients who are supported by the state, and we find that the state does not even pay them enough in some cases to cover the actual costs, which has to be made up by the other patients, but in the absence of the lady from Lovell, Mrs. Harriman, I would present House Amendment "B". It has filing number 494 and I move its adoption.

The SPEAKER: The Chair must advise the gentleman that due to the fact that the gentlewoman from Lovell, Mrs. Harriman, was the signer of the amendment, the gentleman from Gardiner cannot present the amendment.

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

Mr. ROSS: Mr. Speaker, because of that fact I move that it lie upon the table until later in today's session.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves that Bill "An Act relating to Minimum Wages," Senate Paper 583, Legislative Document 1583, lie upon the table especially assigned for later in today's session pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

#### Amended Bills

Bill "An Act Increasing Compensation of Clerks of the Law Court" (S. P. 290) (L. D. 789)

Bill "An Act relating to Pollution Abatement" (H. P. 257) (L. D. 355)

Resolve Providing for Survey of Abandoned Agricultural Lands (H. P. 522) (L. D. 750)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolve read the second time, all passed to be engrossed as amended by Commit-

tee Amendment "A" and sent to the Senate.

Bill "An Act relating to Maintaining Financial Responsibility in Motor Vehicle Accidents" (H. P. 252) (L. D. 313)

Bill "An Act relating to Use of Trawls in Waters of Washington County" (H. P. 514) (L. D. 724)

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

The SPEAKER: At this time the Chair would like to recognize the presence in the rear of the hall of the House, a group of members of the Rumford Junior Achievement Company accompanied by their adult advisors, Mr. John Hart and Mr. and Mrs. J. P. Nolan. On behalf of the House the Chair extends to you young people a most hearty welcome, and we are very happy to have you with us today. (Applause)

#### Passed to Be Enacted

An Act Reestablishing the State Museum (S. P. 144) (L. D. 342)

An Act to Amend the Amount of Supplement Loans by Maine School Building Authority (S. P. 153) (L. D. 400)

An Act relating to Geological Survey Publications (S. P. 232) (L. D. 633)

An Act relating to Citizens Committee on Survey of State Government (S. P. 321) (L. D. 817)

An Act Permitting Governor and Council to Purchase Real Estate Adjacent to State House (S. P. 585) (L. D. 1584)

An Act relating to Closed Season on Deer in Towns of Deer Isle and Stonington (H. P. 160) (L. D. 207)

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

An Act relating to Travel by Inspectors of Table Stock Potatoes (H. P. 497) (L. D. 709)

An Act Prohibiting Dogs Running at Large (H. P. 601) (L. D. 848)

An Act to Create a Public Body in the City of Bangor to be Known as the Urban Renewal Authority (H. P. 1003) (L. D. 1437)

### Finally Passed

Resolve Establishing a Theodore Roosevelt Centennial Commission of Maine (S. P. 62) (L. D. 112)

Resolve Appropriating Money for Forest Rehabilitation (H. P. 337) (L. D. 469)

Resolve Authorizing Funds for Medical and Dental Education for New England Board of Higher Education (H. P. 581) (L. D. 830)

Resolve Authorizing Research of Cystic Fibrosis, a Disease of Children (H. P. 803) (L. D. 1134)

Resolve Authorizing Legislative Research Committee Study of the Problems of the Uninsured Motorist (H. P. 1093) (L. D. 1589)

Resolve relating to Research and Experimental Work in Relation to the Eradication of Aquatic Weeds (H. P. 1094) (L. D. 1590)

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

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

Mr. PLANTE: Mr. Speaker and Members of the House: I would like to have the House go along with tabling item one until later in the day.

The SPEAKER: The question before the House is the motion of the gentleman from Old Orchard Beach, Mr. Plante, that Bill "An Act Re-establishing the State Museum" be tabled and especially assigned for later in today's session pending passage for enactment. Will those who favor the tabling motion please say aye; those opposed, no.

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

### Order Out of Order Tabled and Assigned

Mr. Lane of Waterville, under suspension of the rules and out of order, presented the following Order and moved its passage:

ORDERED, the Senate concurring, that a special committee be appointed, consisting of 2 members of the Senate, to be appointed by the President of the Senate, and 3 members of the House of Representatives, to be appointed by the Speaker of the House of Representatives to investi-

gate the lack of proper enforcement of the Liquor Laws of the State, especially as they relate to Sunday sales, sales to minors and bootlegging; and be it further

ORDERED, That the Committee shall serve without compensation but shall be reimbursed for their necessary expenses to carry out the provisions of this Order; and be it further

ORDERED, That \$10,000 be allocated from Legislative Expense to carry out the purposes of this Order; and be it further

ORDERED, That the Committee shall report to the 99th Legislature the result of its study, together with any recommendations that it may deem necessary. (H. P. 1101)

The SPEAKER: The question before the House is the motion of the gentleman from Waterville, Mr. Lane, that this Order receive passage. The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: I move that this Order lie upon the table and especially assigned for tomorrow, and I also move that the Order be reproduced and distributed to the desks of the legislators.

The SPEAKER: The question now before the House is the motion of the gentleman from Portland, Mr. Childs, that this Order be tabled and be especially assigned for tomorrow pending passage, and that it be reproduced and distributed to the members' desks. Is this the pleasure of the House? Will those who favor the motion of the gentleman from Portland, Mr. Childs, please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

### Orders of the Day

The SPEAKER: Under Orders of the Day the Chair now lays before the House item number one under tabled and today assigned matters, Senate Joint Order relative to directing Legislative Research Committee to Study Procedures, etc., Senate Paper 587, tabled on May 17 by the gentleman from Lewiston, Mr. Jalbert, pending passage in concurrence.

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

Mr. TOTMAN: Mr. Speaker, I notice the gentleman from Lewis-

ton, Mr. Jalbert, is absent, and I know that he is very much interested in this order, and I too am very much interested in the order. I feel that we are not ready, at least I am not ready, to recommend adopting the order as it presently reads, and I would move that it be tabled until later in today's session.

The SPEAKER: The question before the House is the motion of the gentleman from Bangor, Mr. Toman, that Senate Joint Order relative to directing Legislative Research Committee to Study Procedures, etc. be tabled and especially assigned for later in today's session pending passage in concurrence. Is this the pleasure of the House?

The motion prevailed and the Order was so tabled.

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

Mr. STANLEY: Mr. Speaker, if I am in order at this time I would like to take from the table the item that we tabled a short time ago, L. D. 1594.

The SPEAKER: The gentleman must have the unanimous consent of the House to take it up at this time. Does the gentleman request unanimous consent to do so?

Mr. STANLEY: I request unanimous consent.

The SPEAKER: The gentleman from Bangor, Mr. Stanley, requests unanimous consent to take up out of order, Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1958 and June 30, 1959", Senate Paper 591, Legislative Document 1594, which was tabled earlier in today's session and especially assigned for later today, pending the adoption of House Amendment "A". Does the Chair hear any objection to removing this from the table at this time? The Chair hears none and it is so ordered.

The pending question is the motion of the gentleman from Brunswick, Mr. Walsh, that the House adopt House Amendment "A". Is the House ready for the question? A division has been requested. The Chair recognizes the gentleman from Bangor, Mr. Stanley.

Mr. STANLEY: Mr. Speaker, I would just like to say that I hope everyone in this period that we have had a recess, that we have studied these figures and that we know what we are voting on.

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

Mrs. SMITH: Mr. Speaker, I would like to request that this matter be tabled until tomorrow that we may have a further chance to study it. I do not think this picture is clear —

The SPEAKER: The gentleman may not debate the tabling motion. The question now before the House is the motion of the gentleman from Falmouth, Mrs. Smith, that this item be tabled and especially assigned for tomorrow pending the motion of the gentleman from Brunswick, Mr. Walsh, that the House adopt House Amendment "A". Will those who favor the tabling motion please say aye; those opposed, no.

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

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

Mr. CHILDS: Mr. Speaker and Members of the House: During the recess period I had an opportunity to talk to many of the legislators and it seems to me that many of us are somewhat confused as to exactly how much money is involved and where it is going. During the recess I made a list of these increases in the separate departments. First of all, what this amendment does, this is above what the Appropriations Committee had already allocated in the supplemental budget. It is an amendment increase. On the first one under Administration alone the first year they are asking, I will just give you round figures \$52,000, for Neglected Children this is still over the appropriation recommendation \$138,000, on Old Age Assistance \$62,000, in regard to Eliminating Citizenship Requirement \$18,000, Aid to the Blind \$2,900, Aid to the Disabled \$6,800, Aid to Dependent Children \$166,000, Institutional Services \$56,480, and for Pownal alone \$56,479. Now your figures are pretty much the same in the second year

of the biennium and this adds up to well over \$1,000,000.

Now the question that you want to keep in mind now when you vote, I know a lot of members in the House are considering taking \$1,000,000 out of the general fund and using it in the highway fund. If you vote for this increase here, if you believe this is more worthy than taking the money out of the highway fund and not increasing the registration and the drivers' licenses, that is just exactly what you are going to be doing if you are voting for this increase. I myself, personally, am going to vote for this measure here as I believe it is much more important than the highway situation as far as taking it out of the general fund, but I want you to understand that when you do vote here you are losing all chances of taking a million dollars out of the general fund.

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

Mr. TOTMAN: Mr. Speaker, Members of the House: I arise for one purpose only, to correct the figure that has been used here throughout the session on this support of the bond issue. We have heard that to support the bond issue was going to cost an average over the next twenty odd years \$1,600,000. and I in good faith had accepted that figure and probably have quoted it to you. Today, it was called to my attention by the gentleman from Gardiner, Mr. Hanson, I don't think he will object to my quoting him because it represents a serious interest and a piece of research on his part, that while the average may be \$1,000,000 that we will have to find, it is undeniably true that for the next two years to finance the proposed bond issue the sum required would be approximately \$90,000 a year.

Now to me that figure is somewhat of a bombshell in my own personal thinking, I am not arising here to throw a bombshell into your thinking, but I am arising to correct myself because I was the person earlier this morning who said that I understood that it would cost us for at least the next two years about \$1,000,000 a year. Now, let us understand each other. It will cost an average of over twenty years of \$1,000,000, but the facts of

life are that for the next two years alone until the 99th session meets, it will not cost \$1,000,000, it will cost approximately \$90,000. I certainly have never intended to quote out of text or to misquote figures or use wrong figures. Therefore, I am correcting myself, and I think the gentleman from Portland, Mr. Childs, who just spoke might also change his thinking or have additional thoughts on it if he knew how much money is absolutely going to be needed for the next two years on this highway question.

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

Mr. BRAGDON: Mr. Speaker, I listened this forenoon to the arguments presented for this amendment and at that time I felt that I would not attempt to defend the position of the Committee in any way. On thinking that over, there is one item which I think that I would like to defend their position on, and the gentleman from Portland, Mr. Childs, has just mentioned it. It is an amount of \$166,000 which makes up a fairly substantial amount of the money involved and it goes to the aid of the dependent children. This matter was discussed very, very thoroughly in the Committee many times and it had been discussed by individual members of that Committee with the town managers in their various towns and communities, and it seemed to be almost the consensus of opinion coming from all the areas that we had contacted that the aid to dependent children program was very well taken care of.

There was more dissension in the old age program, but in that particular category I think it was the feeling of the Committee not to raise that beyond what the federal government would match. In other words, if we went beyond that point every dollar would be state dollars and that as the federal money increased then the state money would increase along with it, but in regard to this aid to dependent children, it did seem that it was pretty well agreed by the town managers and people who have that thing to work with that this program has been very well taken care of by what the Committee provided, and I ask



you, ladies and gentlemen of the legislature, who is better able to know the facts than these town and city managers scattered the length and breadth of our state.

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

Mr. BRUCE: Mr. Speaker, I request permission to approach the rostrum?

The SPEAKER: The gentleman may approach the rostrum.

(Conference at rostrum)

The SPEAKER: The Chair would request the floor leaders and assistant floor leaders of both parties to meet in the Speaker's office.

#### House at Ease

The SPEAKER: The House will be in order.

The House is proceeding on the pending question which is the adoption of House Amendment "A". The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker, I would like to direct two questions to any proponent of this amendment. Number one, under your general administration in the Health and Welfare Department, the proponents of the amendment are asking for a \$52,000 increase in the first year and \$58,000 increase in the second year. May I ask what that is for?

The SPEAKER: The gentleman from Portland, Mr. Childs, has directed a question through the Chair to any proponent of this amendment who may answer if he chooses. The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker, I shall ask another question while they are thinking of the answer to that one. On institutional services in general administration there is an increase in the first year of \$56,000 and an increase in the second year of \$58,000 in general administration. What are those two amounts for?

The SPEAKER: The gentleman from Portland, Mr. Childs, has directed two questions through the Chair to any proponent of this amendment who may answer if he

chooses. The Chair recognizes the gentleman from Lewiston, Mr. Jalbert, and requests that he deal with each question separately.

Mr. JALBERT: Mr. Speaker and Members of the House, I assure the gentleman from Portland, Mr. Childs, that I was not trying to think up an answer. I just looked around to see whether or not, I misunderstood as to whether or not he asked a member of the Appropriations Committee or anyone who could answer. Breaking it down, the Health and Welfare Department raise from L. D. 1594 back to L. D. 119 is for personal services, and the same thing pertains to the \$56,480 and \$58,890 wherein it concerns the Augusta State Hospital. He could further carry his question in that, concerning the Pownal State School, and I again would like to repeat, I believe the gentleman was not present when I spoke originally this afternoon, I again would like to repeat that if those monies are not used for personal services and both department definitely make the claim that they will use that money and will get the necessary help for these personal services that then it goes into the general fund unless, if an emergency arises and they have monies left over that they are not using, they can get permission from the Governor and Council, by order, specific order as to what they want to do with the money unless that is granted to them. Otherwise, any money due to the action of the last session wherein it concerns the line budget for personal services, that is the only way that that money can be used for personal services unless they get the consent through the finance officer of the Governor and Council. Does that answer the gentleman's question?

Mr. CHILDS: Mr. Speaker, the second matter that I referred to was not Pownal, it is the \$56,000 increase in the Augusta State Hospital for administration and personal services. Does that mean the hiring of new help or increases for those who are already occupied in the Augusta State Hospital or what?

Mr. JALBERT: Mr. Speaker, I would like to explain that I mentioned Pownal State School because I stated to the representative from

Portland, Mr. Childs, that he could ask the same question wherein it concerns Pownal. I am aware the question concerned the Augusta State Hospital and mentioned the figures \$56,480 and \$58,890. It means new help, but it has nothing to do with the raising of the salaries. The raising of the salaries has been done, I think, through the original budget, not the supplemental budget, the first bill to give them a one step increase. Now, the gentleman from Bangor, Mr. Stanley, has on the table, retroactive, a measure as well as another four and one half per cent step.

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

Mr. CHILDS: Mr. Speaker, I certainly think that the House, without question, could go along on some of the matters like aid to the disabled, aid to dependent children and neglected children, and so forth because we know what those amounts are and we can use our good common sense and determine whether those amounts are sufficient or reasonable. We run into the situation of institutional service and also into Health and Welfare for general administration. The Appropriations Committee has spent four months going over these. They know how many inmates there are, they know what the help is there. They are the ones who I should think would be the best to determine whether there is any need of an increase as far as new help is concerned, and I am certainly dissatisfied with certain aspects of this amendment.

I can go along with aid to disabled and dependent children and so forth, but when we sit here in the House and somebody gets up and puts an amendment on and talks about a \$52,000 increase in one place and a \$56,000 increase in another place, and we have never studied the situation as far as inmates and so forth are concerned, and I think that we are using poor judgment on the part of this amendment.

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

Mr. STANLEY: Mr. Speaker, as to the first item as the gentleman from Brunswick, Mr. Walsh, men-

tioned this morning that you could list them 1, 2, up through 9, the \$52,000 approximately would provide for additional caseworkers, casework supervisors, a director of Indian affairs, and attendant expenses to make possible better review of cases. We in the Appropriations Committee did not feel that this particular thing was necessary, we felt that it could be handled with the present personnel.

On item two, care of neglected children, board and care of neglected children, we had in our budget \$150,000. The amendment would change that to \$27,000 for personal services and \$247,000 for all others. In that regard, we were asked to increase the amount of money which is paid for the care of neglected children to roughly \$10 per week and, as was stated this morning, approximately \$32.25 per month is spent on that particular item now. We have raised it to \$39.00 per month which is less than was asked for, but it is an increase of \$6.75 per month on each individual case.

At the Western Maine Sanatorium the \$13,880 is for personal services which we didn't think were necessary.

The third item in the old age assistance category, we have \$182,000 in the first year and \$249,000 in the second. That would be changed to \$245,000 in the first year and \$340,000 the second year. We met with the Health and Welfare Committee, I believe that is the name of the Committee, and they were of the opinion that this was the best thing to do, not to go along as was recommended in the budget on the five per cent increase, but that we do something on medical care for these people and this is what was recommended by the joint committees.

On the fourth item which eliminates citizenship requirements, we were given the figures originally for personal services of \$5,000 and all other of \$88,000 in the first year and \$5,000 and \$110,000 in the second year, and after that it was brought to our attention that that amount was not necessary, that the \$75,000 and the \$85,000 would adequately take care of it and that is what we put in the budget.

On aid to the blind \$6,400 the first year and \$10,000 the second year. The amendment would change it to \$9,300 and \$14,200, which this does not make a great deal of difference one way or another.

Aid to the disabled, we have \$11,000 the first year, \$14,000 the second. The new amendment would make it \$17,000 and \$21,000 roughly. We felt that we had been carrying on a good program for the aid to the disabled and we could see no reason for a change there.

In aid to dependent children again we had a meeting with the Health and Welfare Committee and it was the joint opinion, and I think unanimous that the aid to dependent children program was one of those that was being the best taken care of now, and they thought that it was being adequately taken care of and as the gentleman from Perham, Mr. Bragdon, mentioned that we did check with the towns and cities throughout the state to find out how they felt about this program, and they felt that it was being adequately taken care of at the present time.

On institutional service, we cut out the \$56,480 in the first year and the \$58,890 in the second year. That was to provide key professional personnel to more adequately meet rehabilitation requirements. At the time that this was presented to us the gentlemen who spoke for the amount of money were very doubtful as to whether they would find the people to take those positions even if they had the money. Since that time the Augusta State Hospital, which this money would go into, has been accredited by the American Psychiatric Association, something that very few of the state hospitals throughout the country ever acquire.

At Pownal State School, I gave you a wrong figure this morning by two people. I said that we cut the request from \$95,000 to \$69,000 by one person, we cut it down to \$68,000. I would like to read to you the people, or the categories which we cut out. One was a store clerk. One was a painter, three teachers, one psychology assistant, one psychology intern, one social welfare intern, one occupational therapist I, one occupational therapist aid I. Those five the people didn't believe that

we could get them even if we had the money for them. We cut out one beautician, one physician III, two nursing assistants, four attendants II, four domestic workers II, and four domestic workers I. At the time, in reference to the last two categories, we gave them six more than they had in the last biennium.

I can see no reason for this amendment. I still stand by the decision of the Appropriations Committee who has spent some 227 hours in discussing these problems. I think we have gone over them thoroughly, equally as thoroughly as we could do, or anyone could do. I don't see any reason for the amendment. If I can give you further figures or if you are completely confused now, I would be glad to give you the figures any time.

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

Mr. ROWE: Mr. Speaker, I arise only at this time to be helpful if I can and to clarify the situation. I think that the gentleman from Portland, Mr. Childs, has raised a worthwhile question and I would like to supply some data if I can, knowing that the more data that we have the better judgment everyone of us will be able to make. As regard to the recommended increase in personal services, if I could just point out one or two items here, I think that would help you clarify these recommendations. For instance, the nursing home program that we are going to adopt immediately brings into a new and increased number of cases demanding an increased number on your staff. Also the liberalization in old age would bring in thirteen hundred new cases not presently handled by the welfare department. Last week, another one that I should point out here, would be the elimination of the citizenship requirement, is also going to bring in four hundred cases.

Now we all know these are just some of the items that are being brought in. We all know that in order to run any sort of a program that you need a staff, a program without a staff is unworkable. We know that. Last year, if I could just point out one more item — that all these cases that need help in wel-

fare departments, must be reviewed within a given period of time and that if twenty per cent of these cases are not reviewed immediately federal assistance is stopped. Now I understand it, I don't know just what it is, above that twenty per cent or below it, or just what point, but I understand that they are at a critical point in reviewing cases. And if we do take on these new cases that are covered by different kinds of legislation here, that personal services are something that we have to have if we are going to make the program work. I only point that out as a matter of clarification.

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

Mr. BEYER: Mr. Speaker and Ladies and Gentlemen: I am among a great many others who were interested, prior to lunch, in whether or not there are any raises in this supplemental budget for the employees of the state. I realize that you cannot single out any particular group in fairness to all the others, but like Mrs. Burnham and Mrs. Knapp, the gentlewomen from Kittery and Yarmouth respectively, I was concerned about the lowest paid grades in the Pineland State School. Through the help of one of the members of the Appropriations Committee I was able to find out that on page six of L. D. 1594 an item labeled Salary Plan No. 1 contained an item of \$943,959 which takes care of salary increases for all the state personnel. I understand that it was recommended in the PAS report and it was distributed to us a great many weeks ago when I had mislaid mine.

But in particular reference again to that position which some of us were concerned about, and again we realize that they all need it but it seemed to us that the conditions down there warranted a particular attention if possible, that under the present pay scale the lowest class attendant gets from \$42 a week to \$52.50. If this bill passes without the amendment they will still get a raise, and their new range will be \$46 at the lowest to \$57.50. In other words, a raise of \$4.00 to \$5.50. I understand elsewhere there is another L. D. which could give all state

employees approximately a four and one-half per cent further increase. Therefore I am now satisfied that the present employees of the state will get some raise which some of us were concerned about before and couldn't find it readily in this L. D. I am now satisfied with the bill without the amendment.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker, may I correct the gentleman from Bangor, Mr. Stanley?

The SPEAKER: If you do it in a parliamentary way.

Mrs. HENDRICKS: The Public Health Committee did not meet with the Appropriations Committee. It may have been the Welfare Committee but it was not the Public Health Committee.

Mr. STANLEY: I thank the lady for the correction.

The SPEAKER: The Chair recognizes the gentlewoman from Yarmouth, Mrs. Knapp.

Mrs. KNAPP: Mr. Speaker and Members of the House: In jotting down these cuts in personnel, now we must remember that we have a new school down there and certainly the teachers that we have now, we haven't enough for the school. I am talking of Pownal State School. I hear that they have cut down the domestics 4-II and 4-I. There are a good deal more down there to take care of and more to feed. They have got to have more help on that. And the attendants, certainly they can't spare those attendants. The nurses' assistants, the beautician, I don't know if there are any more beauticians in that list, but certainly in our visit over to the Augusta State Hospital and the Bangor State Hospital the doctors pointed out to us what a lift it did give the girls to have the permanents and so forth. Your occupational therapists, I see they have cut two of those. There is not enough help there in that line and a lot of those youngsters that could be doing things and making things are not. Now your social welfare worker and the psychologists' assistants, if we are going to try to rehabilitate these children, we have got to have more help down there in that line. As

far as the store clerk and the painter, I don't know anything about that, but I do know what I am talking about on these other ones.

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

Mr. STORM: Mr. Speaker, perhaps it might clear the air a little to read some of the record. These bills have all had public hearings and I am as sure that they are all just as carefully considered in executive session of those committees as this bill was in the Committee on Taxation. If you do not have faith in the committees or the committee reports, or the membership of those committees, then you do not have faith in our form of government here in the State of Maine. Ladies and gentlemen, those are not my words, I am quoting from the record, from a speech made on a previous occasion by the minority floor leader, the gentleman from Brunswick, Mr. Walsh. I think he expressed some very sound thinking in that speech and I am bringing it up here for your consideration. I have had some knowledge of the hours that this Appropriations Committee has worked during this session and I assure you that I believe they are much more qualified to act on these matters in a cool and level-headed manner than we as a group can act here on snap judgement, when we are swayed by emotions and thinking with our hearts instead of our heads.

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

Mr. MAYNARD: Members of the House, I know that it doesn't take an expert, certainly I don't consider myself so, who visited the State Hospital or Pownal to realize they are certainly understaffed. And with increased membership in those places they will certainly need more staff to keep up with what we have now. I would like to just comment on that fifty thousand or so extra per year that the gentleman from Portland, Mr. Childs, mentioned. \$50,000 seems like a lot of money but I realize it might employ ten skilled people a year, approximately, maybe not that many, approximately fifteen or sixteen unskilled if we can get them, and those to

be spread over several institutions. Some of the members have been talking about one institution or the other particularly, but I think this applies to all the institutions in the whole state. And I am sure that those who are so interested in these institutions must see the need for these increased services.

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

Mr. BEAN: Mr. Speaker, I would like to quote you these figures: On the thirtieth day of April in Pownal we had 1,477 inmates, and on that same day we had 316 employees at that institution. The supplemental budget as reported by the Committee on Appropriations and Financial Affairs has added either 68 or 69 more to that 316. But we still feel that they are pretty as well supplied with employees as any other institution in the state according to the number of inmates that they have.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I want to reply briefly to the remarks of the gentleman from Madawaska, Mr. Rowe, in his remarks in regard to adding these new cases, such as eliminating the citizenship requirement and things like that. I think possibly he may have missed one thing involved there. We all know that adding new cases doesn't make the state any larger and no more ground has to be covered. For instance, if you have two cases in one town you might possibly decide that it wouldn't take too much more time for the worker to investigate the two cases supposing one additional has been added then was required before.

And along that line I had occasion to go back again to the ADC angle. I made a personal investigation of the situation in my own county. I knew what the situation was statewide and I can tell you that. It is one worker for thirty families. I ask you, ladies and gentlemen, thinking it over, don't you think possibly one worker can well take care of and supervise thirty families, that is the state average. I found that that average applied right

straight through in Aroostook County and I talked with two of those workers and they informed me that they could handle the situation very well. Now if that could make you think that possibly this situation is as desparate as it has been pointed out, I just simply point out these few things to you for your further consideration.

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

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: Fourteen years ago, I am pretty accurate on this, I think it can be checked on, but I inquired at that time as I was vitally interested, at Pownal State School the applications to enter that school for young people was between four and five hundred. Now I am not going to throw a question at the Appropriations Committee to find out from them just how many applicants there is possibly right now to go into that school down there. We have had this discussed, the Appropriations Committee doesn't have to make any excuses to us at all, it has done a wonderful job, they don't have to take back anything they have said today and I now move the previous question.

The SPEAKER: The Chair must advise the gentleman that the previous question has been moved and debate is not in order at the moment.

For the Chair to entertain the motion for the previous question the Chair must have the approval of at least one-third of the members present. Will those who favor the Chair's entertaining the motion for the previous question please rise and remain standing until the monitors have made and returned the count. Less than one-third having arisen in favor of the Chair's entertaining the previous question, the motion does not prevail.

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

Mr. CROCKETT: Mr. Speaker and Ladies and Gentlemen: A few moments ago the gentleman from Winterport, Mr. Bean, said there were between fourteen and fifteen hundred patients at the Pownal School and there were three hundred em-

ployees there to take care of them. But he forgot to tell you that the three hundred are for twenty-four hour service. So that would leave about a hundred and some odd to take care of fourteen hundred people at any one given time during the eight hours.

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

Mr. JACQUES: Mr. Speaker, in answering the gentleman from Cumberland, Mr. Call, a couple of months ago I had a young lady I was trying to get into the Pownal State School and I went in to see Commissioner Greenlaw and asked him if there was room for this young lady, and he said, "Well, you can put your name down, we will put the name of the child down and see if we can't get her in." So a couple of days after that I went up to see him again and I looked at the list and there was a hundred and thirty-two waiting to get in. So naturally I went around and tried to see somebody else to see if there was any other way to get this child in. So they tell me there are about four last year that were not in the institution and four of them died. So that is an average of eight a year that can go in there—there was an average of eight a year last year.

So then I asked our City Government in the City of Lewiston if there was anything we could do for this child. So the City Government, which they never did before, appropriated fifteen dollars a week, they are paying fifteen dollars a week and the children's parents are paying fifteen dollars a week toward that to have this child put in the institution here in Hallowell for they don't know how long. And I don't think that these people in Lewiston right now can afford it, not on forty dollars a week pay.

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

Mr. TOTMAN: Mr. Speaker, inasmuch as the motion I would like to make is not on this item, I would like unanimous consent to address the House very briefly.

The SPEAKER: The gentleman from Bangor, Mr. Totman, requests unanimous consent to briefly address the House. Is there objection? The Chair hears none and the gentleman may proceed.

Mr. TOTMAN: Mr. Speaker and Members of the House: Inasmuch as we have voted down the previous question it appears we do want to go on and debate this important measure. However, the other branch is very anxious to work and have some items to work on. Therefore I would like to move at this time, and ask unanimous consent, that all matters this morning passed to be engrossed in concurrence and all matters that were acted upon this morning that require Senate concurrence be sent forthwith. After such matters have been sent to the Senate by the Clerk in accordance with this unanimous consent agreement no motion to reconsider shall be in order. Now the purpose of this motion is solely to get what we acted upon this morning over to the Senate so that they can work.

The SPEAKER: Does the Chair hear objection to the consent requested? The Chair hears none and it is so ordered.

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

Mrs. BURNHAM: Mr. Speaker and Members of the House: I want to say that I have not been able to resolve the doubts I had this morning about the amendment at this time. I really feel that the Appropriations Committee have made their point quite clear to us and I do not think that the amendment as presented does what we women folks had wanted to do for the lower paid group. Therefore I shall vote against this amendment.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Childs, but must remind the gentleman that he has already spoken at least twice to the motion and must have the consent of the House to speak further. Does the gentleman desire that permission?

Will those who favor permitting the gentleman from Portland, Mr. Childs, to speak further please say aye; those opposed, no.

A viva voce vote being taken, Mr. Childs of Portland was granted permission to speak further.

Mr. CHILDS: Mr. Speaker, out of the nine matters which have been presented in this amendment I believe that I could certainly go along with six of them. On the seventh one I think it could be cut down and I think that the two administration ones could be cut down. I would like an opportunity to present an amendment to this amendment and I think we could reach a much more realistic measurement as far as going along with the Appropriations Committee is concerned. I want to say to the members of this House these are recurring expenses, this million dollars, and if we put it on now it is something that is going to be with us always. Even though there is a good possibility of there being an increase in the sales tax, I don't think that we ought to spend all the money immediately as far as reoccurring expenses are concerned, so therefore—and it is a good possibility that we may be in session this evening, I would like to put this on the table until later in today's session.

The SPEAKER: The question now before the House is the motion of the gentleman from Portland, Mr. Childs, that Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1958 and June 30, 1959", be tabled and especially assigned for later in the day pending the motion of the gentleman from Brunswick, Mr. Walsh, that House Amendment "A" be adopted. Will those who favor the tabling motion please say aye; those opposed, no.

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

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

Mr. ELWELL: Mr. Speaker and Members of the House: I would like to commend the Appropriations Committee especially for showing what I took to be very sound judgment in reporting out the convalescent home project essentially intact. However, the convalescent home program has little to offer to

the aid to dependent children category and actually the \$50,000 is but a token when applied to the medical needs of ten thousand children, even when it is matched by federal funds.

I think it is dangerous to compare a program figures this year with last year. Because to do so would be to assume that the figures last year were essentially sound. I think that two years ago, and last year the figures were low even for that time. My only criticism of this amendment is in general that I wish it could be more. And I don't agree with those people who say that this problem is so large that we can't face it realistically. We will never solve any problem by going around it. Someone has referred to the possible need of this money in the highway program. I think this is the most reckless of all suggestions. If you were to measure this amount of money as it applies to highways you would find that it probably would build less than one mile of road on the interstate system.

And speaking of highways we were so concerned over federal funds on the highway question that we issued a bond issue to provide the state's matching share. Here we would have the matching funds in the form of an increase in the sales tax which is under consideration. You can't slice a penny so as to take ninety per cent of it and the same question will stand before us, on the sales tax, whether or not we accept this amendment, I would like to point out what I think is a misunderstanding on the part of some of the members of the House in regards to the million dollars that is needed, additional money, to balance the highway allocation bill. It would still provide all the services that were recommended in that bill. The fact is that we still need one million dollars in revenue, new revenue, in the highway department to balance the allocation bill and provide all the services that are listed in it. We are now told that we only need some ninety thousand dollars to retire the bonds during these next two years. This is true but it is only part of the story. The highway budget was prepared with the full knowledge of this and it was assumed in

preparing the allocation bill in conjunction with the other measures that are before you that you would be voting on the question of one million dollars in additional revenue for the highway department.

As far as the items or the status of this amendment goes, I think that in terms of dollars it is essentially what was in the supplemental budget. Therefore it is not entirely a new item and I would hope that the House would go along with the passage of this amendment.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker and Members of the House: I am not satisfied that this amendment is not a package deal. I shall now go along with my good friend from Kittery, Mrs. Burnham, and vote against the amendment.

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

Mr. COTE: Mr. Speaker, when the vote is taken I request a roll call.

The SPEAKER: The question before the House is the motion of the gentleman from Brunswick, Mr. Walsh, that House Amendment "A" be adopted. 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. More than one-fifth having expressed a desire for a roll call, a roll call is ordered.

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

Mr. CHILDS: Mr. Speaker, I now move that this amendment be indefinitely postponed. And my reason for now voting against it is that I am not satisfied with it as a whole. I would be willing to go along with most but not all of it, so I therefore move the indefinite postponement and request a division when the vote is taken.

The SPEAKER: The question now before the House is the motion of the gentleman from Portland, Mr. Childs, that the House indefinitely postpone House Amendment "A", and the gentleman has requested a division.



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

Mr. COTE: Mr. Speaker, I ask for a roll call.

The SPEAKER: The gentleman from Lewiston, Mr. Cote, requests 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 having expressed a desire for a roll call, a roll call is ordered.

The Chair will state the question. The question before the House is the motion of the gentleman from Portland, Mr. Childs, that the House indefinitely postpone House Amendment "A".

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

Mr. TOTMAN: Mr. Speaker, I presume that comment is still in order, on indefinite postponement.

The SPEAKER: Yes, the Chair will advise the gentleman that it is.

Mr. TOTMAN: Mr. Speaker and Members of the House: I was convinced when I spoke earlier this morning, and refrained from moving indefinite postponement, that this issue was far more important than a party issue. I was fairly convinced for a while that there would be many Republicans who would forget the party issue and go along with the amendment. However, I notice the motion for a roll call vote was very unanimously along party lines. I think it was a tactical error, I think it is very unfortunate. Therefore I shall have to change my vote.

The SPEAKER: The Chair will state the question. The question before the House is the motion of the gentleman from Portland, Mr. Childs, that the House indefinitely postpone House Amendment "A" to Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1958 and June 30, 1959", Senate Paper 591, Legislative Document 1594.

Those who favor the indefinite postponement of this amendment will say yes when their names are called; those who oppose indefinite postponement will say no. The Clerk will call the roll.

### Roll Call

YEA — Bartlett, Bean, Winterport; Besse, Beyer, Blanchard, Bragdon, Brewster, Brockway, Brown, Ellsworth; Browne, Bangor; Bruce, Burnham, Call, Carter, Newport; Carville, Caswell, Childs, Christie, Cole, Couture, Bath; Crockett, Davis, Calais; Duquette, Earles, Edgerly, Emery, Emmons, Ervin, Farmer, Foss, Frazier, Frost, Fuller, Graves, Hancock, Hanson, Harrington, Hatch, Hatfield, Hathaway, Haughn, Hughes, Hutchinson, Jack, Jewell, Jones, LaCasce, Libby, Lindsay, Mann, Mathieson, Morrill, Needham, Rankin, Rich, Roberts, Rollins, Ross, Bath; Ross, Brownville; Sanborn, Shaw, Shepard, Smith, Falmouth; Stanley, Storm, Tarbox, Totman, Turner, Vaughan, Wade, Walker, Walter, Webber, Whetson, Whiting, Winchenpaw, Wood.

NAY — Allen, Andrews, Babineau, Baird, Beane, Augusta; Broderick, Cormier, Cote, Couture, Lewiston; Coyne, Cyr, Davis, Westbrook; Day, Denbow, Dostie, Dudley, Dumais, Edwards, Elwell, Emerson, Galant, Harriman, Harris, Hendricks, Hendsbee, Hersey, Hickey, Higgins, Hilton, Jacques, Jalbert, Johnson, Karkos, Kelly, Knapp, Lane, Latno, Letourneau, Maynard, Miller, Nadeau, Pierce, Plante, Porell, Prue, Quinn, Rancourt, Rowe, Madawaska; Roy, Saunders, Smith, Portland; Stilphen, Tevanian, Thackeray, Viollette, Walsh, Warren.

ABSENT — Anthoine, Brewer, Carey, Carter, Etna; Curtis, Desmarais, Flynn, Hanscomb, Heald, Hoyt, Kinch, Leathers, Maxwell, Morway, Rowe, Limerick; Williams.

Yes: 77, No: 57, Absent: 16.

The SPEAKER: Seventy-seven having voted in the affirmative and fifty-seven in the negative, with sixteen absentees, the motion to indefinitely postpone House Amendment "A" does prevail.

The Chair is advised that there are several other amendments to be offered to this Bill which have to be distributed to the desks. We purposely did not distribute them to interrupt debate. The House will be at ease for ten minutes to allow for the distribution of these amendments.

### House at Ease

Called to order by the Speaker.

The SPEAKER: We are now proceeding with the business at hand. The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker and Members of the House: Before I make a motion I would like to read to you from Governor Muskie's Budget Address. In the very last paragraph he says, "It is your decision, of course, whether all or any part of the supplemental budget shall be approved. It represents an effort on my part to present a balanced program for progress. As was the case two years ago, the recommendations have been reduced to essentials, and, in many instances, are far less than the amounts which could be justified. There may be differences of opinion among you as to the degree of emphasis which should be given to different areas of service. Nevertheless, in my opinion, this budget, supplementing the current services budget, will make possible encouraging advances along a broad front."

As you probably know, the measure before us is part of the supplemental budget. Governor Muskie has told us it is our decision. I know he certainly would not want to make a party issue out of this, I certainly don't. I want to go along with a certain part of these amendments. I think the thing should be broken down. I think each and every part of this should be an amendment by itself and discussed thoroughly and intelligently and make our decisions along those lines. To the best of my knowledge so far, there has only been one amendment introduced. There are nine matters here, and I know that some of you are very interested in those matters, so therefore, I move that this matter lie upon the table in order to give members of this House an opportunity to present amendments.

The SPEAKER: Did the gentleman assign a time?

Mr. CHILDS: I move this lie on the table specially assigned for tomorrow.

The SPEAKER: The question now before the House is the motion of the gentleman from Portland, Mr. Childs, that Bill "An Act Mak-

ing Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1958 and June 30, 1959" lie on the table specially assigned for tomorrow pending third reading. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

The SPEAKER: The Chair now lays before the House item number two under tabled and today assigned matters, Bill "An Act Creating a State Administered Probation and Parole Law", Senate Paper 552, Legislative Document 1542, tabled on May 21 by the gentleman from Portland, Mr. Tevanian, pending passage to be engrossed, and the Chair recognizes that gentleman.

Mr. TEVANIAN: Mr. Speaker and Members of the House: I have prepared an amendment called House Amendment "A" to Legislative Document 1542 and it has been reproduced and distributed under filing Legislative Document 1604, and I would like to have the opportunity to speak briefly on it.

The SPEAKER: The gentleman from Portland, Mr. Tevanian, offers House Amendment "A", being L. D. 1604, and moves its adoption. The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to S. P. 552, L. D. 1542, Bill, "An Act Creating a State Administered Probation and Parole Law."

Amend said Bill by inserting after that part designated "Sec. 10" of section 1, the following underlined section:

'Sec. 10-A Probation of juveniles in Cumberland county. The probation of a juvenile in Cumberland county is expressly exempted from the general law on juvenile probation and nothing in this chapter shall affect or modify any special law pertaining to the appointment of juvenile probation officers and their duties within and for Cumberland county.'

Further amend said Bill by inserting after "Sec. 34," 10 new sections, as follows:

'Sec. 34-A. Appointment approved by Judge of Superior Court or by Chief Justice of the Supreme Judi-

**cial Court.** The judge of the municipal court for the city of Portland shall appoint one person as juvenile probation officer for Cumberland county, to be approved by a Judge of the Superior Court resident in Cumberland county or by the Chief Justice of the Supreme Judicial Court. Said juvenile probation officer shall be a person qualified by personality, professional training and executive or supervisory experience in a social agency using professional standards, to direct an effective probation service. Said juvenile probation officer shall act under the direction of said courts. The terms of office of said officer shall be for the period of 2 years, or until removed by the judge of said municipal court with the approval of a Judge of the Superior Court resident in said county, or of the Chief Justice of the Supreme Judicial Court. A record of said appointment and approval and of any such removal shall be made by the clerk of said Superior Court and said clerk shall notify the county commissioners and the county treasurer of the county of Cumberland of the same. Said judge of said municipal court may also appoint one person as assistant juvenile probation officer and a third person as probation clerk, to be approved in the same manner as above provided in the case of the juvenile probation officer. The assistant juvenile probation officer shall be a person qualified by personality, professional training and experience in a social agency using professional standards, to deal with juvenile cases. Said probation clerk shall maintain accurate records of service rendered by the probation department and shall act as secretary of the department. Said assistant juvenile probation officer and probation clerk shall serve during the pleasure of said judge and shall have the same authority and powers under the direction of said juvenile probation officer as said juvenile probation officer has under sections 34-A to 34-I of this act. A record of said appointments and approval of any such removal shall be made by the clerk of said Superior Court and said clerk shall notify the county commissioners and the county treasurer of the county of Cumberland of the same. Said juvenile probation officer shall give bond

to the county in such sum and with such sureties as the county commissioners of said county shall approve.

**Sec. 34-B. Duty of police officers to cooperate; powers not limited to criminal matters.** Said juvenile probation officer, so far as necessary in the performance of his official duties, shall have all the powers of a truant officer, police officer, constable and deputy sheriff but he shall report to the said courts, or either of them, concerning all matters committed to him, whenever required. It shall be the duty of police officials to cooperate with the said juvenile probation officer in obtaining and reporting information concerning juveniles on probation and to assist him, when called upon, in the discharge of his duties. He may also, without warrant or other process, take any juvenile placed in his care by either of said courts at any time until such juvenile is committed on mittimus in final execution of sentence and bring him before the court, or the court may issue a warrant for the re-arrest of any such juvenile; and the court may thereupon proceed to sentence, order mittimus to issue where it has been stayed or make any other lawful disposition of the case.

**Sec. 34-C. Salary.** The salaries of said juvenile probation officer, assistant juvenile probation officer, and probation clerk shall be determined by the judge of the municipal court for the city of Portland with the approval of a Judge of the Superior Court resident in Cumberland county or of the Chief Justice of the Supreme Judicial Court. All of said salaries shall be subject to the further approval of the county commissioners for said county of Cumberland, and shall be payable monthly in equal installments by the county treasurer of the county of Cumberland upon warrants drawn by the county commissioners of said county.

When a juvenile has been placed on probation the court may direct and authorize the juvenile probation officer to expend for the temporary support of such juvenile, or for his transportation, or for both such purposes, such reasonable sums as the court shall consider expedient and any sums so expended, together with actual disbursements for necessary expenses made by said juve-

nile probation officer while in the performance of his duty, shall be reimbursed to him out of the county treasury of the county of Cumberland after approval of the judge of said court when said expenditure was made by order of the judge of said court.

**Sec. 34-D. Juvenile probation officer, pro-tempore.** In case of the absence of said juvenile probation officer, the judge of said municipal court, or in his absence, the recorder, or the judge of the Superior Court, as the case may be, may appoint a juvenile probation officer, pro tempore, to act during such absence, who shall have all the powers and perform all the duties of the juvenile probation officer and who shall receive compensation for each day's service, to be paid by the county treasurer of the county of Cumberland; provided, that the compensation so paid for any excess over 14 days' service in any one calendar year shall be deducted by said county treasurer from the salary of the juvenile probation officer.

**Sec. 34-E. Duties.** Said juvenile probation officer shall assist said courts in obtaining and furnishing information concerning previous arrests, convictions, imprisonments and other matters ordered by either of said courts relative to juveniles accused of criminal offenses, and by inquiring into the facts of every criminal case brought before said court, and may recommend that any juvenile convicted be placed upon probation. The case against any such convicted juvenile may be continued for sentence, or sentence may be imposed and mittimus stayed for any period, and on any terms the court deems best. The court may place any juvenile convicted by it in care of the juvenile probation officer for such time and upon such conditions as may seem proper. If the sentence is to pay fine and to stand committed until the same is paid, the fine may be paid to said juvenile probation officer at any time during the period of probation and said probationer shall thereby be discharged. Said officer shall give a receipt for every fine so paid, shall keep a record of the same, shall pay the fine to the recorder or clerk of the court, as the case may be, within 24 hours after its receipt and shall keep on

file the recorder's or clerk's receipt therefor.

**Sec. 34-F. Statements of juvenile.** Any juvenile arrested for a misdemeanor may make to the officer in charge of the place of custody in which he is confined a written statement, addressed to the judge of the municipal court, giving his name and address, his place of employment if any, and whether he has been arrested before within 12 months next preceding, together with a request to be released from custody. The officer who receives such statement shall endorse thereon the name of the arresting officer, and shall transmit said statement to the juvenile probation officer, who shall at once inquire as to the truth or falsity thereof, and into the record of said juvenile as to previous offenses, and shall endorse thereon over his own signature for the use of the court the result of the investigation, and the court thereupon in its discretion may direct that such juvenile be released from custody without arraignment, upon such terms and conditions as the court may deem appropriate. No officer making an arrest under the provisions of this section shall be liable for illegal arrest or imprisonment, if the juvenile arrested shall be released from custody upon his own request as herein provided.

**Sec. 34-G. Records.** Said juvenile probation officer shall keep full records of all cases investigated by him, and of all cases placed in his care by said courts and of any other duties performed by him under sections 34-A to 34-J of this act, and shall so arrange, consolidate and index his records, that the complete record of all the offenses of any one juvenile may be readily ascertained.

**Sec. 34-H. Reports.** Said juvenile probation officer shall give to the county commissioners of the county of Cumberland such information as they shall request regarding his work, and shall report to said commissioners on blanks or forms furnished by them such facts as they shall require regarding all cases brought before said courts and investigated by said officer, and regarding all cases brought before said officer, and regarding all cases of juveniles placed upon probation in his custody. Said commissioners

shall keep a record of the same and incorporate said record in their annual report.

**Sec. 34-I. Execution of sentence at any term of court, or in vacation.** The juvenile probation officer may bring any respondent placed in his custody by a Justice of the Superior Court who has violated the terms of his probation before said Court, at any term, civil or criminal, in vacation, and any Justice of said Court upon being satisfied of the facts, may order the respondent to forthwith comply with the original sentence. If the cause had been continued for sentence, the Justice of said Court may, either in term or in vacation, impose sentence.

**Sec. 34-J. Juvenile probation officer to be officer in all courts of the county.** The juvenile probation officers provided for in sections 34-A to 34-I of this act shall serve as juvenile probation officers for all the courts in the county of Cumberland. The judges of all the municipal courts in the county of Cumberland shall have the same powers and authority as are granted to the judge of the municipal court for the city of Portland by sections 34-A to 34-J of this act, excepting the power and authority to appoint and remove said juvenile probation officer and his assistants. Such juvenile probation officer shall perform the same duties and have the same authority concerning juveniles committed to their care by any of the municipal courts within said county of Cumberland as is granted to them over persons placed in their care by the judge of the municipal court for the city of Portland. The expenses necessary or expedient for the supervision of juveniles placed in the care of said juvenile probation officers by any of the courts except the municipal court for the city of Portland and the Superior Court and for the other additional duties required of them by this section, shall be paid out of the county commissioners thereof, in addition to the expenses of said juvenile probation officers otherwise provided for by sections 34-A to 34-I of this act.'

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

Mr. TEVANIAN: Mr. Speaker, Legislative Document 1542 as amended creates a State-wide pro-

bation and parole system. I think that this system is good for the State at large. My amendment merely seeks to exempt Cumberland County as to juveniles because of the system we now have in Cumberland County. I have discussed this matter with many people who are interested both within and without the County of Cumberland. I have discussed it with the Commissioner of Institutions, Mr. Greenlaw, and he certainly can see no objection to the amendment that exempts Cumberland County juveniles because of the excellent setup that we do have in Cumberland County and because of possible difficulties that we may have in getting this off the ground, this system off the ground. There are only four counties now as I see it that have good probation systems, they are York, Cumberland, Penobscot and Androscoggin. Portland is the only city that has a separate probation department for juveniles. The legislative document 1542 does not separate juvenile and adult probation, and it is the opinion of the Division of Juvenile Delinquency Service in the Department of Health, Education and Welfare of the Social Security Administration in Washington, D. C. that these two services should be separated. I don't think that separation of juvenile and adults as to probation and parole is very feasible in the State of Maine at this time, and in discussing this with Commissioner Greenlaw, he is also of the opinion, as I am, that if Cumberland County is allowed to be exempted from the state-wide system as to juveniles, we may be setting the groundwork for a good state-wide juvenile delinquency probation system later on at some date.

I would like to point out that there are advantages in this amendment to the rest of the State. One, you would not have to spend state funds in administering juveniles in Cumberland County, and in effect, it would be giving two more officers to the system, because we would have two probation officers for juveniles in Cumberland County and the amendment provides that they shall be paid out of Cumberland County funds. I hope you can

see your way clear to go along with the amendment.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Tevanian, that House Amendment "A" be adopted.

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

Mr. WADE: Mr. Speaker and Members of the House: There has been a great deal of work done on this system of proposed state-wide system of probation and parole. One of the principle arguments for it is the state-wide nature of it, and although I do understand that Cumberland County or Portland in particular has a very fine system of care of their juvenile delinquent problem, the thing that I am concerned with is whether this amendment will jeopardize the life of the bill. I would like to hear from people who know more about this particular bill and its ramifications and perhaps have some debate on this before we do accept this amendment.

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

Mr. BRUCE: Mr. Speaker, I would like to ask any member of Judiciary if the subject covered in this amendment was discussed at the public hearing and if they made a decision on this question in the Judiciary Committee.

The SPEAKER: The gentleman from Buxton, Mr. Bruce, addresses a question through the Chair to any member of the Judiciary Committee who may answer if he chooses.

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

Mr. BROWNE: Mr. Speaker and Members of the House: At the time of the hearing before the Judiciary Committee of this subject of probation and parole, we were very much aware of the position of Portland with reference to its concern over its juveniles. We understand that they have an excellent program for their juveniles. When the amendment was first suggested I was immediately opposed to it — excuse me, Mr. Speaker, may I continue beyond answering the question?

The SPEAKER: The gentleman may proceed.

Mr. BROWNE: At the time I first became aware that an amendment was to be offered, I was opposed to it for many the same reasons as mentioned by the gentleman from Auburn, Mr. Wade. However, in discussing this at some length with the proponents, I am convinced that they do have an excellent system for their juveniles in Portland. We recognize that possibly when the probation and parole law goes into effect there may be some time lapse in getting it into operation. We don't wish to jeopardize the good program in Portland, they have an excellent juvenile program. This would limit it only to their juvenile program and not to the adults. And they have a program which possibly we may learn from as it continues to grow. I would assume that Portland and Cumberland County might have the largest share of juvenile delinquency problem in our state, and therefore, I am convinced that this amendment is acceptable and I am not opposed to it.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Portland, Mr. Tevanian, that House Amendment "A" be adopted. Is this the pleasure of the House?

The motion prevailed, House Amendment "A" was adopted, and the Bill, having been reported by the Committee on Bills in the Third Reading, was passed to be engrossed as amended in non-concurrence and sent to the Senate.

The SPEAKER: The Chair now lays before the House item number three under tabled and today assigned matters, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Maximum Grants in Public Assistance Cases" House Paper 806, Legislative Document 1150, tabled on May 22 by the gentleman from Madawaska, Mr. Rowe, pending acceptance of the Report, and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Rowe of Madawaska, the Report was accepted and sent up for concurrence.

The SPEAKER: The Chair now lays before the House item number

four under tabled and today assigned matters, House Report 'Ought not to pass' of the Committee on Appropriations and Financial Affairs on Bill "An Act Increasing Maximum Grants in Public Assistance Cases" House Paper 965, Legislative Document 1365, tabled on May 22 by the gentleman from Madawaska, Mr Rowe, pending acceptance of the Report and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Rowe of Madawaska, the Report was accepted and sent up for concurrence.

The SPEAKER: The Chair now lays before the House item number five under tabled and today assigned matters, Bill "An Act relating to Powers of State Board of Education", Senate Paper 479, Legislative Document 1384, tabled on May 22 by the gentlewoman from Presque Isle, Mrs. Christie, pending passage to be enacted and the Chair recognizes that gentlewoman.

Mrs. CHRISTIE: Mr. Speaker and Members of the House: All the communication I have had in regard to this bill is in opposition to it. This opposition has come from the P.T.A. who adopted a resolution or something of the kind at least at their May meeting, the Maine P.T. A., in opposition to his bill; from my local Chamber of Commerce and from Chapter Delta Kappa Gamma, a teachers' organization, and I feel that we should not go along with this bill. And I move the indefinite postponement of this bill and all accompanying papers.

The SPEAKER: The question before the House is the motion of the gentlewoman from Presque Isle, Mrs. Christie, that the House indefinitely postpone Bill "An Act relating to Powers of State Board of Education". Will those who favor the motion to indefinitely postpone this Bill please say aye; those opposed, no.

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

The SPEAKER: The Chair now lays before the House item number six under tabled and today assigned matters, Joint Order relative to Study by Legislative Research Com-

mittee of Federal Flood Insurance Program, House Paper 1100, tabled on May 22 by the gentleman from Brunswick, Mr. Walsh, pending passage. The Chair recognizes that gentleman.

Mr. WALSH: Mr. Speaker and Ladies and Gentlemen of the House: The purpose of this order I will try to explain to you with just a few brief statements of fact. Under the Federal Flood Insurance Act of 1956 property owners in the United States including municipal, county and state governments were to be afforded an opportunity to purchase flood insurance from the Federal Flood Indemnity Administration through the facilities of insurance companies and their local agents. The federal government would until June 30, 1959 subsidize the premium for each policy up to forty per cent of each dollar of premium. The policyholder paying the balance of sixty per cent. After that date, one half of the subsidy or twenty per cent of each dollar of premium would be borne by the state government in any state wishing to continue to participate in the federal flood indemnity program. The subsidy provision of the Federal Flood Insurance Act may present a serious problem in certain states. And it is possible that a constitutional amendment may be required to permit a state government through the state subsidy to pay insurance premiums for a private person or a corporation. Also after June 30, 1958, the Federal Flood Indemnity Administration is authorized to require that a public body enact and keep in effect flood zoning restrictions in areas where such restrictions appear to be in order. No flood insurance may be sold in any areas that do not meet such requirements after June 30, 1958.

The purpose of the order is simply one thing. To let the Legislative Research Committee study it and report back to the next session of the legislature, and in the meantime we will certainly find out from the federal government whether there needs to be a constitutional amendment on the thing or not, and we would be placed, if the Legislative Research Committee so reports, in a position to save dollars if the State of Maine wanted flood insur-

ance, and I move adoption of the order.

The SPEAKER: The pending question is the motion of the gentleman from Brunswick, Mr. Walsh, that the Joint Order Relative to Study by Legislative Research Committee of Federal Flood Insurance Program be adopted. Is this the pleasure of the House?

The motion prevailed, the Order was adopted and sent up for concurrence.

The SPEAKER: The Chair now lays before the House item seven under tabled and today assigned matters, House Report 'Ought not to pass' of the Committee on Judiciary on Bill "An Act relating to Equity Suit after Period of Redemption in the Collection of Taxes", House Paper 939, Legislative Document 1332, tabled on May 22 by the gentleman from Bangor, Mr. Tottman, pending acceptance of the Report.

Thereupon, the Report was accepted and sent up for concurrence.

The SPEAKER: The Chair now lays before the House item eight under tabled and today assigned matters, House Divided Report, Majority 'Ought not to pass' and Minority "ought to pass" of the Committee on Education on Bill "An Act Excluding Federal Aid as an Incidental Receipt in State Subsidy Allocation" House Paper 654, Legislative Document 935, tabled on May 22 by the gentleman from Perham, Mr. Bragdon, pending the motion of the gentlewoman from Rumford, Miss Cormier, to accept the Minority Report. The Chair recognizes the gentleman from York, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker and Ladies and Gentlemen: This bill was originally placed before the legislature to rectify what we felt was a wrong being done by the Board of Education. However, since the Jacobs bill has been nearly enacted, the Jacobs bill repeals this particular section, and with regard to the federal aid under the new formula for state subsidy the federal aid is so figured in the new formula that it does not affect us adversely as it did under the old formula. So that this bill itself even

though it was passed and enacted, it would not take effect because of its repeal by the other law. I therefore move we accept the Majority "Ought not to pass" Report.

The SPEAKER: The Chair has been advised that there has been a misprint in the calendar and that this item was tabled on May 22 by the gentleman from Perham, Mr. Bragdon, pending the motion of the gentlewoman from Rumford, Miss Cormier, to accept the minority "Ought to pass" Report. That is the pending question. The Chair recognizes the gentlewoman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, as I said yesterday, this was immaterial, I was merely keeping it alive. I am perfectly happy to withdraw my motion at this time.

The SPEAKER: The gentlewoman from Rumford, Miss Cormier, withdraws her motion to accept the Minority "Ought to pass" Report, and the question now before the House is the motion of the gentleman from York, Mr. Hancock, that the House accept the Majority "Ought not to pass" Report.

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

Mr. ALLEN: Mr. Speaker, I am not entirely convinced that there cannot be some good salvaged out of this bill. There is a question in my mind as to whether or not this money is paid from the federal government to municipalities in lieu of taxes and therefore should not be considered a subsidy. I would like to see the bill kept alive if possible for further study. I hope that we don't accept the "Ought not to pass" Report.

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

Mr. FULLER: Mr. Speaker, as the gentleman from York, Mr. Hancock has said, this new Sinclair Bill repeals this section so that I can see no need for this bill absolutely. As you all remember the original bill figured gross to net, and when it was amended to figure net to net, incidental receipts are not considered, and so I can see absolutely no need for this bill unless the law, or soon will be law we hope, is completely changed, and I hope that the



motion of the gentleman from Hancock, Mr. York, prevails.

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

Mr. HANCOCK: Mr. Speaker, I discussed this with the Legislative Research Department and it would seem to me that there would have to be a complete new draft of some kind because this particular bill relating to this section would be repealed by the new Jacobs law and would make no effect whatsoever.

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

Mr. BRAGDON: Mr. Speaker, I have listened to so many figures and looked at so many figures this winter that figures don't mean very much to me, but I would like to ask a question of the gentleman from South Portland, Mr. Fuller. I am a little bit concerned with what may happen to this bill. I did visit the Education Department this morning because as I said yesterday coming from an area that has large military installations I was very interested in what was actually going to happen. He can say net to net to me and it doesn't mean a whole lot, but I am going to ask him a question. Supposing—I understand one of the controversial points in this thing is whether or not this is a subsidy to education from the federal government or whether it is money paid in lieu of taxes that can't be collected because you can't tax military installations. If it is a subsidy from the federal government for education, I grant that the state should not pay an equal subsidy. If it is money paid because they can't collect taxes, then I question whether or not it is a federal subsidy to education, but the question I want to ask here if he will get me clear on it, and it is the point that I raised yesterday, and it has to do with the provisions of the Sinclair bill. I am told that the Sinclair bill or some section in it repeals this law, and if so, the question that concerned me yesterday and still concerns me, even after going to the Education Department, is, and I will ask it specifically: Supposing the town of Limestone or the City of Bangor doesn't come under the provisions

we will say required under the Sinclair bill, are they losing this so-called subsidy which they—or whatever you have, which they now could get under this bill. That is what I want to get clear in my mind and if I get an answer I will be satisfied.

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

Mr. FULLER: Mr. Speaker and Members of the House: It is not easy to explain, but as you will remember originally the bill considered incidental receipts such as tuition and federal monies as part of the subsidy. But now in these places where they have a heavy impact of federal employees and federal people, and where they have a lot of tuition youngsters like the city of Gardiner, that is not figured because originally as you will remember you added up in one column the total cost of education and then you subtracted any incidental receipts such as government money or tuition, and then you figured your net into your gross, and it made you might say a tremendous hardship on such cities as Gardiner and Belfast and in places that had heavy federal installations such as Kittery and Limestone and Bangor. But when we come down the line now and figure our total cost toward the foundation program, the tuition or any federal funds or any incidental receipts are subtracted and you figure net to net, and so it is not considered as state subsidy. Does that answer the gentleman's question?

The SPEAKER: Does the gentleman from Perham, Mr. Bragdon, consider his question answered?

Mr. BRAGDON: I am not quite satisfied, but I think the gentlewoman from Presque Isle is going to take care of it.

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

Mrs. CHRISTIE: Mr. Speaker, I certainly am not satisfied with Presque Isle and Limestone and other areas. I would like to be more convinced that this would not hurt these communities, and I am not

sure of that, so I move the acceptance of the Minority "Ought to pass" Report.

The SPEAKER: The question before the House is the motion of the gentleman from York, Mr. Hancock, that the House accept the Majority "Ought not to pass" Report.

Mr. HANCOCK: Mr. Speaker?

The SPEAKER: The Chair must remind the gentleman he has spoken twice to the motion and must have the consent of the House to speak further. Does he wish that consent?

Mr. HANCOCK: I do.

The gentleman from York, Mr. Hancock, was granted unanimous consent to speak further.

Mr. HANCOCK: Mr. Speaker, there was no one any more interested in this particular bill than I was, as you can tell, I introduced it, and it was at the request of the educational departments in the towns of York and Kittery that it was introduced. On the basis of the — it is difficult to try to explain as the gentleman from South Portland, Mr. Fuller, has done, the various formulas and so forth. My people are perfectly satisfied with the new bill with regard to this federal aid. It does not adversely affect us as it did under the old formula. Frankly I don't know what we have to do to convince you people of it, but I honestly believe that if this bill was passed, and I know it won't be because of the other end of the corridor, but it would have no effect whatsoever because it is repealed.

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

Mr. STANLEY: Mr. Speaker and Members of the House: In regard to the question of the gentleman from Perham, Mr. Bragdon, perhaps if I give him an instance of what happens in the city of Bangor it might explain it to him, that in the City of Bangor, we have several federal people who have their students in our schools, and just to take a figure I think it is around \$50,000 that they pay to the City of Bangor each year for the schooling and that is determined by taking the average of five high schools in the state and they pay that amount of money to the City of Bangor, the average of five schools, what it costs

to educate a person in our schools. So the \$50,000 is deducted from the amount of money that the City of Bangor pays for education, and the figure that remains is the figure on which the State gives the City of Bangor a subsidy. If the people in the City of Bangor paid the \$50,000 instead of the federal government, we would still get a subsidy on that \$50,000. But where it is paid to us by the federal government for educating the pupils of the people who are at the federal installation, it is deducted from the amount of money. Therefore, the City of Bangor is somewhat penalized for educating the people at the military installations.

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

Mr. ALLEN: Mr. Speaker, to follow up the question of the gentleman from Perham, Mr. Bragdon, as I understand the Sinclair bill to join in an administrative unit is optional, and if towns don't qualify, they can still get their subsidy that they would have originally been getting had not the Sinclair Bill gone into effect.

Now my question is, since the Sinclair bill repeals this section of the law, what happens in the case that towns do not wish to join in an administrative unit and therefore maybe for a few years they would like to be getting advantage of this federal grant?

The SPEAKER: The gentleman from Chelsea, Mr. Allen, has addressed a question through the Chair to anyone who may care to answer. The Chair recognizes the gentlewoman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker and Members of the House: In answer to that, under the Sinclair bill the new subsidy has nothing to do with consolidation. The subsidy is entirely apart from the part of the bill that deals with consolidation. The only part in which it plays is those towns that do consolidate under the plan would have a ten per cent increase, but the subsidy as a subsidy has absolutely nothing to do with consolidation.

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

Mr. BRAGDON: Mr. Speaker, I will drop the matter here. I think perhaps the gentleman from Stockholm, Mr. Johnson, should concern himself more with it than I should anyway since he represents the town of Limestone. If anything goes a little different than they might wish, I will let him shoulder the responsibility. I have tried.

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

Mr. ELWELL: Mr. Speaker and Members of the House: I don't want to confound the problem any further, but there is a question in my mind. While I didn't hear all of the discussion, I understand that there are two types of federal aid. One is the type that has been discussed relative to military installations, and the other is the line of subsidy vocational courses. There are several towns in the State who do offer vocational courses for which federal subsidy is allowed. When we—in fact when I proposed the net to net computation, they also raised this question to the department and to the Committee, and it was my understanding at the time that while they went along with the net to net computation on tuition, they weren't going along on the federal aid as far as subsidy for vocational courses is concerned. And the question I would direct to the Chairman of the Education Committee is: In figuring the credits toward the foundation program, is it not true that federal aid is not applied as a credit?

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

Mr. FULLER: Mr. Speaker and Members of the House: It seems to me that we are getting back onto debate of the Sinclair bill. It doesn't seem to me that the gentleman's question is germane to this particular bill here, and I would be glad to discuss that with him later which would take some time.

I want to reiterate as the gentleman from York, Mr. Hancock, has already told you, that even if you pass this bill it just won't do you any good because if the Sinclair bill

becomes law this is repealed, so I can see no advantage whatever in passing this.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from York, Mr. Hancock, that the House accept the Majority "Ought not to pass" Report on Bill "An Act Excluding Federal Aid as an Incidental Receipt in State Subsidy Allocation", House Paper 654, Legislative Document 935. Will those who favor the motion to accept the "Ought not to pass" Report please say aye; those opposed, no.

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

The SPEAKER: The Chair now lays before the House item number nine under tabled and today assigned matters, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Liquor Control on Bill "An Act relating to Sale of Certain Beverages to Minors", House Paper 381, Legislative Document 510, tabled on May 22 by the gentleman from Portland, Mr. Broderick, pending the motion of the gentleman from Bucksport, Mr. Pierce, to accept the Minority Report. The Chair recognizes the gentleman from Portland Mr. Broderick.

Mr. Broderick of Portland offered House Amendment "B" and moved its adoption.

The SPEAKER: The Chair must advise the gentleman that before offering an amendment is in order, the House must accept the "Ought to pass" Report. Is it the pleasure of the House to accept the Minority "Ought to pass" Report?

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

Mr. Broderick of Portland offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" 'to H. P. 381, L. D. 510, Bill, "An Act Relating to Sale of Certain Beverages to Minors."

Amend said Bill by striking out the 5th and 6th lines and inserting

in place thereof the following underlined lines:

**'shall sell to a minor any alcoholic or non-alcoholic beverage under the name of "near beer" or any other name with the intent to convey and which is capable of conveying the'**

Further amend said Bill by striking out the single quotation mark at the end and adding at the end thereof the following underlined paragraph:

**"The Enforcement Division of the Maine State Liquor Commission shall have the same power as sheriffs, constables and other law enforcement officers to enforce the provisions of this section."**

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

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

Mrs. BURNHAM: Mr. Speaker and Members of the House: I would like at this time to acknowledge the very sincere effort of the gentleman from Bucksport, Mr. Pierce, who has helped us on this bill. Also some of the legal profession in this House who have helped us to draft the amendment which we think accomplishes our purpose.

The SPEAKER: The Chair now lays before the House under non-concurrent matters the first item on page three, that was tabled earlier this morning and specially assigned for later in the day, Bill "An Act relating to Gifts of Securities and Money to Minors," House Paper 9, Legislative Document 8, on which the House accepted the "Ought not to pass" Report of the Committee on Judiciary on March 12. Comes from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence. The Chair recognizes the gentleman from Portland, Mr. Tevanian.

Mr. TEVANIAN: Mr. Speaker and Members of the House: I would now move that this document and all its accompanying papers be indefinitely postponed. This bill purports to be a bill that would simplify the manner in which gifts are given to minors. The Committee on Judiciary discussed this matter very

thoroughly and we placed it on the table in Judiciary and we informed the sponsors that we could not accept this bill in its present form and we asked them if they would present us with an amendment for further consideration. That they did not do, and when we finally reported it out "Ought not to pass" after six or seven weeks, they then placed it on the table and are now seeking to put it through the House.

I don't feel that this bill is a workable bill. This bill has many bugs to it and it certainly is a great deviation from our present law which is sought to protect the minor and the minor's property to the enth degree down through the history of the Anglo Saxon law.

To show you one objectionable feature of this bill, and believe me there are many in my opinion, is that a custodian under this bill is given property by a person on behalf of a minor, and he is not even liable for negligence. He can invest the money, he can reinvest it, all without approval of the court, the p r o b a t e court in our system of law has always worked hard and diligently to protect the minor.

Let me read you one section of this bill: "A custodian not compensated for his services is not liable for losses to the custodial property unless they result from his bad faith," which is in my opinion tantamount to larceny, 'intentional wrongdoing' which I feel conveys the same meaning, "or gross negligence or from his failure to maintain the standard of prudence in investing the custodial property provided in this chapter." And the rest of the contents of the act I don't feel has any more stringent restrictions upon it, and I therefore urge that you support me in indefinitely postponing this bill.

The SPEAKER: The Chair would advise the gentleman from Portland, Mr. Tevanian, that this being a non-concurrent matter, the motion which would be in order and which would accomplish what the gentleman is trying to accomplish, would be that the House adhere.

Mr. TEVANIAN: I now so move.

The SPEAKER: The Chair understands that the gentleman from

Portland, Mr. Tevanian, moves that the House adhere.

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

Mr. BRUCE: Mr. Speaker, just on a point of information, the motion to adhere supercedes the motion to recede and concur does it not?

The SPEAKER: The Chair would advise the gentleman that as between those two motions, the motion to recede or concur takes precedence over a motion to adhere.

Mr. BRUCE: I should like the motion to recede and concur and should like to speak briefly to the motion.

The SPEAKER: The Chair understands the question now before the House is the motion of the gentleman from Buxton, Mr. Bruce, that the House recede. The gentleman may proceed.

Mr. BRUCE: Mr. Speaker, this bill, the gentleman from Portland, Mr. Tevanian, said that it was unworkable. I would like to state that it is in operation and I have the list of the states before me. In eighteen states I believe, and it is pending acceptance in a number of other states which I haven't counted. It is a relatively simple matter. It just gives a father or a mother or a near relative or a custodian to make a gift to a minor and handle that gift if it is in the form of an investment. For instance, the father might give his minor son a gift of securities. Now under the present law in order to sell those securities he would — or transfer them he would have to go to the judge of probate. That would mean hiring an attorney, that is, I would assume it would, I have never heard of a person going before the judge of probate without having an attorney at his elbow appearing for him, and this would enable him to change that investment, to sell it and reinvest the funds in some other type of investment. Under the bill, without going into a long debate on the thing, I think that everyone agrees that there is ample protection for the minor. There are acts that can be taken to protect him in case of negligence on the part of the guardian, father, mother or whatever might be the case. Therefore, I hope that my motion prevails.

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

Mr. BRODERICK: Mr. Speaker and Members of the House: As my good colleague, the gentleman from Portland, Mr. Tevanian, has pointed out to you there were many objections to this particular bill. I would like to say that very briefly in effect this bill circumvents that protection that is now given to minors by our probate court. That would be our first objection to it, and was. Secondly, there is no limitation as to the amount that can be transferred at any given time to a minor. Thirdly, there is absolutely no accounting required by the custodian under this bill. When the minor reaches twenty-one the custodian turns over the residue to the minor without an accounting. These things we objected to, and we also pointed them out to the sponsors and proponents of this bill. We gave them a period of between six and eight weeks within which to amend this bill. That they have not done, and this amendment which the Senate—I beg your pardon, the other branch accepted, does not cure the defects of this bill, and I certainly hope that this House does not go along with the motion to recede and concur.

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

Mr. WADE: Mr. Speaker and Members of the House: Perhaps because this bill has to do with gifts of securities and because a good many people in this House know that I am a security dealer, it seemed to me that a number of people looked toward me on it. I simply want to say that I feel that if as I said before the Judiciary Committee, if it is suitable for enactment into the Maine statutes, it would be a convenient tool for the security buyer who wishes to give securities to his children, and of course as such to the security dealer. On the other hand, even though the gentleman from Buxton, Mr. Bruce, has said that it was a simple matter, I look to the Judiciary Committee for the protection of the public in connection with all matters with any kind of reference to probate, and I am neither an opponent or proponent of the bill and I will look

directly to the House members of the Judiciary Committee on it.

The SPEAKER: The question before the House is the motion of the gentleman from Buxton, Mr. Bruce, that the House recede in regards to Bill "An Act relating to Gifts of Securities and Money to Minors", House Paper 9, Legislative Document 8.

Will those who favor the motion to recede, 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 motion of the gentleman from Portland, Mr. Tevanian, that the House adhere. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair now lays before the House the second item which was tabled this morning and specially assigned for later in today's session, item seven, under Bills in the Third Reading on page six of the calendar. Bill "An Act relating to Minimum Wages", Senate Paper 583, Legislative Document 1583, tabled by the gentleman from Bath, Mr. Ross, pending passage to be engrossed.

The Chair recognizes the gentleman from Lovell, Mrs. Harriman.

Mrs. Harriman of Lovell offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to S. P. 583, L. D. 1583, Bill, "An Act Relating to Minimum Wages."

Amend said Bill in that part designated "Sec. 132-B" by adding after the underlined word "private" in the 1st line of paragraph B, the underlined punctuation and words 'nursing, convalescent or rest'

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

Mrs. HARRIMAN: Mr. Speaker, this is the amendment that I spoke of yesterday, and I would like to say at this time that I understand there is to be a third amendment, an amendment to this amendment, and would it be better to wait until

that amendment is presented before speaking?

The SPEAKER: If the gentleman desires she may debate House Amendment "B" at this time.

Mrs. HARRIMAN: Mr. Speaker, this is almost absolutely necessary under the minimum wage law. One of the nursing homes which has been brought to my attention, the fees at this home range from \$22.50 a week up to \$50.00 a week. Now if we figure that on twenty-four hour care per day which in some cases that amounts to that, you have to have someone on duty during the night, this figures down to about thirty-one cents an hour that this woman receives, so you can see the advisability and the necessity of the amendment.

The SPEAKER: The Chair understands that there is to be offered House Amendment "A" to House Amendment "B".

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

Mr. MILLER: Mr. Speaker, I was going to offer this amendment but after checking various sources, I am withdrawing the amendment.

The SPEAKER: The Chair understands that House Amendment "A" to House Amendment "B" has been withdrawn.

The question before the House now is the motion of the gentleman from Lovell, Mrs. Harriman, that the House adopt House Amendment "B". The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker, I mentioned earlier today that this House Amendment "B" was perfectly acceptable to the Labor Committee.

The SPEAKER: The question before the House is the motion of the gentleman from Lovell, Mrs. Harriman, that the House adopt House Amendment "B". Is this the pleasure of the House?

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

On motion of the gentleman from Bangor, Mr. Quinn, the House voted to take from the table the seventeenth tabled and unassigned mat-

ter, Bill "An Act relating to Bank Deposits or Loan and Building Shares in Two or More Names", House Paper 918, Legislative Document 1308, tabled on May 22 by that gentleman pending third reading.

Thereupon, on further motion of the same gentleman, the Bill was given its third reading, passed to be engrossed and sent to the Senate.

On motion of the gentleman from Bridgton, Mr. Haughn, the House voted to take from the table item number one under tabled and unassigned matters, Senate Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Business Legislation on Bill "An Act Regulating Public Utilities Engaged in Non-Utility Business", Senate Paper 276, Legislative Document 735, tabled on April 26 by the gentleman from Bridgton, Mr. Haughn, pending passage to be enacted.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: I now move for the acceptance of the Minority "Ought to pass" Report, and would like to speak briefly.

The SPEAKER: The gentleman may proceed.

Mr. HAUGHN: Mr. Speaker, we once again have a bill before us in regard to public utilities which was heard by Business Legislation. This particular bill pertains to public utilities engaged in non-utility business, such as refrigerators, washing machines and what have you, home appliances. I will admit one thing, that they are not allowed to charge their losses against their rate as far as to the extent of applying for a rate increase, but I do say that it comes out of the rate payer, because they do apply it to their profits, it comes out of their profits, and where do the profits come from, it comes from the rate payer. It seems to me that when they talk in terms of capitalization and assets these losses that they have sustained over the years have certainly been so substantial it certainly would reflect upon it. It would have the same course in reducing the value of the stocks and the rating of its bonds. Also the responsi-

bility to borrow working capital. All these losses would certainly reflect due to being non-utility business connections. It also affects them in their ability to raise money to provide service and necessities—necessitates higher rates to make up these losses. When they are in this type of operation and business it certainly puts a burden on a small business man who is in that business individual for a livelihood free and apart from a monopoly business of which the utility companies are engaged in. If you remove these utility companies from this private enterprise field, you would then be giving fair competition to the smaller businessman who has no other recourse to make up these losses which they do have. It appears to me that the original need for merchandising by the utilities has long since gone by. There are over four hundred and fifty dealers in Central Maine Power Company areas with thirty-three stores, and it seems to me all these types of stores certainly have no recourse of recovery from their losses, but the Central Maine Power and other companies engaged in this business certainly do. This is one loophole that is certainly now in the public utility law because the Public Utilities Commission does not have any jurisdiction over this part of their operation. They can lose money in non-utility business and make it up out of the utility profits, and once again I want to express those profits are certainly coming from the rate payers who pay the returns into the company.

I will once again reiterate that this certainly does interfere with private enterprise, but abuse the position to break down a free enterprise system. They are in a class legislation with special privileges, and by giving them this opportunity to stay in this particular field, they should set up another corporation of their own and operate like any other individual does free and apart from any losses that they should have to assume from the returns paid by the rate payers to the company. I certainly hope the Minority Report of "Ought to pass" prevails on this bill.

The SPEAKER: The question before the House is the motion of the

gentleman from Bridgton, Mr. Haughn, that the House accept the Majority "Ought not to pass" Report.

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

Mr. WADE: Mr. Speaker and Members of the House: I signed the Majority "Ought not to pass" Report on this bill, and for the following reasons. First, because in large sections of the rural area of the State of Maine the merchandising business carried on by the utilities is considered essential. In the second place, speaking of class legislation, this bill departs from all precedent in driving the utilities out of a business that they have been in for a long period of time, a business which they have shared peaceably and to the advantage practically in many cases of dealers — of the appliance dealers in their areas. In fact, if you look over even the thickly settled areas of Maine, centers like Portland, Lewiston, Bangor and elsewhere — well I won't include Bangor because Bangor Hydro isn't in the appliance business, but even in the populated areas there are appliance dealers who are doing very well side by side with the utility companies.

I am not an attorney, I won't attempt to bring in the constitutional aspects of it, but it is definitely a departure from the type of enterprise that we have carried on in this State for a long time, and I move that this bill and accompanying papers be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentleman from Auburn, Mr. Wade, that both Reports be indefinitely postponed.

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

Mr. HAUGHN: Mr. Speaker, in regard to one expression made by my colleague from Auburn, Mr. Wade, he speaks of the rural areas. I come from a rural area and I mean rural area. We have several places in our particular area who cannot meet competition because they cannot meet the price as charged by these utility companies, because they have a way of being able to sell at a lower price because they have a recovery for their losses. The small man or the small

store does not, and if that be the case, why did the Bangor Hydro-electric Company go out of the business? They found it non-profitable, but they did not want to charge that against the rate payers. That is one utility that went out of the business. And there is only one that may be affected slightly, and whether it will or not is questionable, the Maine Public Service Company up in Aroostook County. From what reports I have had up there, it certainly interferes with the small businessman once again, so I hope this motion to indefinitely postpone does not prevail, and I request a division when the vote is so taken.

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

Mr. CHILDS: Mr. Speaker, may I inquire from any member of the Business Legislation Committee as to what loss the Central Maine Power Company operated last year on selling appliances?

The SPEAKER: The gentleman from Portland, Mr. Childs, has addressed a question through the Chair to any member of the Business Legislation Committee who may answer if he chooses.

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

Mr. WADE: I am sorry, I don't have that figure with me.

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

Mr. HAUGHN: Mr. Speaker, not knowing the definite figures but by expression from the papers over a couple of hundred thousand dollars.

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

Mr. BRODERICK: Mr. Speaker, this bill as I understand it at least, applies to a situation such as this. Every utility company, such as one of your power companies, may be in the business of selling refrigerators, radios, lamps or any other such utility in conjunction with its utility business, and also in competition with free enterprise. Now they may or may not operate this business at a loss, and these rates may or may not be charged on to the consumer on a utility rate for their lights. Now all this bill says in effect is that they shall not operate at a loss



beyond one accounting period, one yearly accounting period. I cannot understand why any of these companies would want to operate at a loss, and that is all this bill asks for. They do not go beyond that period, so they will not pass on any loss that they may have in non-utility functions on to the consumer, and I certainly endorse the passage of this bill.

The SPEAKER: Is the House ready for the question?

The question before the House is the motion of the gentleman from Auburn, Mr. Wade, that the House indefinitely postpone both Reports on Bill "An Act Regulating Public Utilities Engaged in Non-Utility Business", Senate Paper 276, Legislative Document 735. A division has been requested.

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

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

The SPEAKER: The question now before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that the House accept the Minority "Ought to pass" Report. Is this the pleasure of the House?

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

On motion of Mr. Totman of Bangor,

Recessed until seven-thirty o'clock this evening.

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

The House was called to order by Speaker.

The SPEAKER: Before the Chair resumes with the tabled and unassigned matters the Chair will invite any member of the House to voluntarily remove any items from the table that he may choose.

On motion of Mr. Saunders of Bethel, the Chair voted to take from the table the sixth tabled and unassigned matter, Bill "An Act relating

to Coercive Practices in Trade or Commerce", House Paper 1069, Legislative Document 1529, tabled on May 10 by that gentleman pending passage to be engrossed.

Thereupon, on further motion of Mr. Saunders of Bethel, the Bill was passed to be engrossed and sent to the Senate.

The SPEAKER: Does any other member wish to voluntarily remove any item from the table?

The Chair will lay before the House the second tabled and unassigned matter, An Act relating to the Department of Finance and Administration, Senate Paper 221, Legislative Document 576, tabled on April 26 by the gentleman from Bangor, Mr. Quinn, pending passage to be enacted, and the Chair recognizes that gentleman.

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: Early in the session I discovered that we had two bills before us with identical titles, to wit: An Act relating to the Department of Finance and Administration, and that aroused my curiosity so that I examined both bills to find out what they were, and one of them was this bill L. D. 576 and the other one was L. D. 347, which is item eight on our tabled matters. In examining those I found that 347 was the discontinuing of the state garage, and I found that the one that we are now considering was to reorganize the Department of Finance and Administration primarily along the lines recommended by the public survey, but it had tacked onto the end of it in Section 8 the same material contained in the other L. D. relative to the Departmental garage operations to be discontinued, which was not recommended by the public survey report. And after I tabled these matters I had communications from the people in the different departments that use these cars telling me what a wonderful job the department garage was doing for the motor transport of the employees of the state in these different departments, and two of those calls came from members of the Highways Department that were using those cars, and they said they were much better equipped and in

much better condition than the cars out of the motor transport pool of the Highway garage, and that it would be a shame to discontinue them.

Then a further investigation discloses that we have three, we are maintaining in the state three types of garages, we are maintaining this departmental garage, we are also maintaining another garage in the Highway Department called the Motor Transport Garage, and also the garage for the State Police. I further found that the Departmental Garage only has a garage here in Augusta, they do not have any field garages out in the field to service cars in the field. The Highway Department does have sub-garages. They have garages in Scarboro, Ellsworth, Caribou, Waldoboro, Rumford and Carmel. And I also found that the State Police not only maintain their garage here in Augusta but they maintain garages at Kittery, Scarboro, Orono and Houlton. I found that the average cost per mile for driving the cars out of the Motor Transport Pool of the Highway Department was four cents and eight mills per mile, that covers insurance, all the equipment on the cars, depreciation, maintenance, everything. I found that the cost of driving the cars out of the State Police Garage was four cents and nine mills, that included all the same coverage. I found that in the Departmental Garage that they were renting these cars out to these different departments, including the Highway Department at the rate of four and a half cents per mile on a mileage basis until January 1956 when they started charging five cents per mile, and that included all of that coverage. And these cars, the cars out of the Departmental Garage in 1955 traveled 2,271,410 miles, and that was on the basis of four and one-half cents a mile. And in 1956 those cars traveled 2,284,997 miles, that is only the Departmental Garage cars.

Now, we started this Departmental Garage back in 1939 and it has been functioning ever since 1939, nearly twenty years, 1957, less two years. It is all equipped and doing business, and doing business in a

very efficient manner. It has been under the direction of the State Purchasing Agent.

Now, in 1953 the Department of Finance and Administration was organized as we now know it and the Purchasing Agent became part of that department. And in running the State Garage the State Purchasing Agent made all the purchases but the mechanics and the mechanical running of the garage is done by foreman of mechanics with subordinate mechanics working under him.

Looking at that picture of that transport setup and then looking at the other side of the picture, what it is costing the state for employee travel in their own privately owned cars, we find that they have been traveling in recent years at the rate of seven cents a mile for the first five thousand miles and at the rate of six cents a mile thereafter. Of course there is a differential between the cost of driving those cars and the state cars because the state cars and the state car equipment are not subject to Federal or State Taxes as the privately owned cars are, they have to pay the gas tax, the oil tax and taxes on all their accessories. But the state, purchasing through the state purchasing agent, are not subject to that expense and overhead, so that makes it readily less expensive to operate the state owned cars.

Now, I found that we had employees traveling at the rate of seven cents a mile, they traveled 5,967,313 miles at a cost to the state of \$417,711.91, and at the six cent rate 6,515,940 miles at a cost of \$390,956.40, making a total on the mileage basis of 12,000,000 miles plus, 12,720,000 at a cost of \$826,936.

It appeals to me that this travel by state employees, the garaging services for state cars and the topic of state owned cars deserves our very serious consideration to see if some motor pool couldn't be set up for the state and have most of this mileage traveled in state owned cars at this lesser expense at a great saving to the state. And it just doesn't seem to me reasonable to, with a wave of a hand, discontinue this state garage that has been going on now for eighteen years in an efficient manner, but that we

should refer this whole subject of state employee travel to the Research Committee, because it seems to me it is our duty to save money if and where we can as well as spend it. And it seems to me there is something here that, if properly set up, we could save the state a large amount of money.

Now, what I would like to do, with your assistance, is to ask that this L. D. 576 be amended by deleting from it this Section 8 which has to do with the discontinuance of the Departmental Garage, and also Section 43 which has to do with travel of state employees. And after that is done, pass the rest of the bill so that we will reorganize the Department of Finance and Administration as recommended by the public survey, and then if the matter goes through in that manner, submit an order to have this whole matter of travel, garages and state owned cars referred to the Research Committee for a proper investigation and report the next session. So with that in mind I now would offer House Amendment "A", which is filing 478.

The SPEAKER: The Chair would have to remind the gentleman from Bangor, Mr. Quinn, that before it will be in order to offer any amendments the House must agree to reconsider its action whereby this bill was passed to be engrossed.

Mr. QUINN: I so move that we reconsider our action.

The SPEAKER: The gentleman from Bangor, Mr. Quinn, moves that under suspension of the rules the House reconsider its action whereby it passed to be engrossed Bill "An Act relating to the Department of Finance and Administration", and to suspend the rules we must secure the approval of two-thirds of the House.

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

Mr. WALSH: Mr. Speaker, I would like to address a question through the Chair to the gentleman from Bangor, Mr. Quinn. Did I understand him to say that his amendment he desired to refer this to the Legislative Research Committee?

The SPEAKER: The gentleman from Brunswick, Mr. Walsh, addressed a question through the Chair to the gentleman from Bangor, Mr.

Quinn, who may answer if he chooses.

Mr. QUINN: To the gentleman from Brunswick, Mr. Walsh, I will again explain. My amendment would take from this L. D. 576, would delete from it Section 8 that has to do with the discontinuance of the State Garage, delete that whole section which is entitled "Departmental Garage Operations Discontinued", and it would also amend Section 43 to put 43 back the way it is in our present law, and until such time as the matter has been referred to the Research Committee for a thorough investigation and report, hoping they will come up with a plan that will organize this whole travel setup and save the state considerable money.

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

Mr. WALSH: Mr. Speaker, if my amendment, filing 478 reads correctly it merely says "Further amend said bill by striking out all of Section 8." Now the first Section 8 that we come to in Legislative Document 576 is the section concerning Budget Estimates which has been on the books and the statutes for years, which requires the department heads and other agencies of state government and corporations and associations receiving or desiring to receive state funds under the provisions of the law shall prepare, on blanks furnished them by the State Budget Officer, and submit to said officer estimates of their expenditures, so on and so forth. I don't believe the amendment as submitted clearly states the purpose which the gentleman from Bangor, Mr. Quinn, wants it to accomplish. And that being the case, there is different headings in here, I would object to the amendment as it is. I clearly understand and recognize the fact that there is a problem and a possibility of being able to save the state some money in the operation of all these big cars and all of that, but I still feel that the amendment as written might be a little bit confusing. I wonder if the gentleman from Bangor, Mr. Quinn, would concur with that belief of mine?

The SPEAKER: The gentleman from Brunswick, Mr. Walsh, has ad-

dressed a question through the Chair to the gentleman from Bangor, Mr. Quinn.

Mr. QUINN: I thank the gentleman from Brunswick, Mr. Walsh, for pointing that out, it certainly does because in the amendment they have not referred to Section 54 of which this Section 8 is a part. Section 54 is the last section of the act, and Section 8 of that section is the one that this amendment was to apply to.

Now, it is very obvious that this amendment should be amended, and I would ask that the House allow me to table that matter until tomorrow in order to properly amend that amendment.

The SPEAKER: The question now before the House is the motion of the gentleman from Bangor, Mr. Quinn, that An Act relating to the Department of Finance and Administration, Senate Paper 221, Legislative Document 576, be tabled and especially assigned for tomorrow pending the motion of the gentleman from Bangor, Mr. Quinn, that the House reconsider its action whereby it passed this bill to be engrossed on April 19.

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

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

The SPEAKER: The Chair now lays before the House item number three under tabled and unassigned matters, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Taxation on Bill "An Act Establishing a Highway Use Tax", House Paper 843, Legislative Document 1197, tabled on May 9 by the gentleman from Auburn, Mr. Turner, pending acceptance of either report and the Chair recognizes that gentleman.

Mr. TURNER: Mr. Speaker and Members of the House: This bill now is at your mercy, but I have talked with our two floor leaders here and they mentioned the fact that owing to article thirteen that is on page ten, An Act to Increase the Registration Fees of Motor Vehicles and Operators' Licenses, I wondered if it wouldn't be a good

idea to lay this on the table until after that particular act was heard, and so I am asking that this bill be tabled unassigned.

The SPEAKER: The question before the House is the motion of the gentleman from Auburn, Mr. Turner, that both Reports be tabled unassigned pending acceptance of either report. Will those who favor the tabling motion please say aye; those opposed, no.

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

Fifty-six having voted in the affirmative and forth-eight having voted in the negative, the motion prevailed and the Reports were so tabled.

#### Order Out of Order

Mr. Maxwell of Winthrop presented the following Order out of order and under suspension of the rules and moved its passage:

ORDERED, that Mr. Flynn of South Berwick be excused from attendance today and tomorrow because of an accident in the family.

The Order received passage.

The SPEAKER: The Chair now lays before the House item number four under tabled and assigned matters, Bill "An Act Increasing Certain Fees of Sheriffs and Their Deputies," Senate Paper 226, Legislative Document 569, tabled on May 9 by the gentleman from Bangor, Mr. Quinn, pending passage to be engrossed, and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Quinn of Bangor, the Bill having been reported by the Committee on Bills in the Third Reading was passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair now lays before the House item five under tabled and unassigned matters, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Labor on Bill "An Act Amending Employment Security Law as to Benefit Eligibility Conditions," House Paper 778, Legislative Document 1111, tabled on May 10 by the gentleman from Bath, Mr. Ross, pending the motion of the gentleman

from Kennebunk, Mr. Emmons, to accept the Majority Report.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen: This bill has now been included in an amendment to another bill, so I move that we accept the Majority "Ought not to pass" Report.

The SPEAKER: The question before the House is the motion of the gentleman from Kennebunk, Mr. Emmons, that the House accept the Majority "Ought not to pass" Report. Is this the pleasure of the House?

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

The SPEAKER: The Chair now lays before the House item seven under tabled and unassigned matters, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act Creating the State Institutional Emergency Fund and the Personal Services Reserve Account", House Paper 871, Legislative Document 1239, tabled on May 10 by the gentleman from Bangor, Mr. Stanley, pending the motion of the gentleman from Bowdoinham, Mr. Curtis, to substitute the bill for the report.

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

Mr. STANLEY: Mr. Speaker and Ladies and Gentlemen: The reason that this bill was tabled the other day was to await the outcome of the salary plan bill. I would dislike to discuss it now until we have taken up the salary plan bill which we haven't discussed as yet. I would ask that it lay on the table until we have discussed the salary bill.

The SPEAKER: The question now before the House is the motion of the gentleman from Bangor, Mr. Stanley, that the Report be tabled unassigned pending the motion of the gentleman from Bowdoinham, Mr. Curtis, to substitute the Bill for the Report. Is this the pleasure of the House?

The motion prevailed and the Report was so tabled.

(Off Record Remarks)

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

Mr. BRAGDON: Mr. Speaker, I ask unanimous consent that we reconsider our action taken earlier in the evening whereby we passed to be engrossed this item six.

The SPEAKER: The question before the House is the motion of the gentleman from Perham, Mr. Bragdon, that the House reconsider its action of earlier this evening whereby it passed to be engrossed Bill "An Act relating to Coercive Practices in Trade or Commerce", House Paper 1069, Legislative Document 1529. Will those who favor the motion to reconsider please say aye; those opposed, no.

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

The SPEAKER: The Chair now lays before the House item number eight at the top of page ten, 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", Senate Paper 150, Legislative Document 347, tabled on May 15 by the gentleman from Portland, Mr. Childs, pending the motion of the gentleman from Bangor, Mr. Quinn, to indefinitely postpone.

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

Mr. QUINN: Mr. Speaker and Members of the House: This is the companion bill that I spoke of in conjunction with the matter on item two, so it might be that it should remain on the table until that other one is disposed of and I so move.

The SPEAKER: The gentleman from Bangor, Mr. Quinn, moves that the "Ought to pass" as amended Report be tabled unassigned pending the motion of the same gentleman to indefinitely postpone. Will those who favor the tabling motion please say aye; those opposed, no.

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

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

Mr. TOTMAN: Mr. Speaker and Members of the House: As a member of the State Government Committee, it appears to me that this

bill is a part and parcel of the earlier bill. This may come as a shock to the gentleman from Bangor, Mr. Quinn, but I was hoping he would just sit in his Chair so we could go ahead and indefinitely postpone it. I don't see any point in hanging on to the bill. This particular L. D. 347, its fate will be decided whenever we decide the big bill, and speaking I think for myself and the gentleman from Bath, Mr. Ross, and I suspect the gentleman from Portland, Mr. Childs, there is no point in keeping it alive, and I move that it be indefinitely postponed.

The SPEAKER: The pending question before the House is a motion to indefinitely postpone, the motion having been made at the time of tabling by the gentleman from Bangor, Mr. Quinn.

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

Mr. CHILDS: Mr. Speaker, might I inquire from the Clerk what the status of item two is right now?

The SPEAKER: The Chair would advise the gentleman from Portland, Mr. Childs, that item two earlier this evening was tabled and specially assigned for tomorrow pending passage to be enacted.

Mr. CHILDS: Mr. Speaker and Members of the House: As I pointed out last week, the members of the State Government Committee were very, very much interested in item nine, assuming that item two did not pass, and therefore if item two ends up being defeated tomorrow, and we indefinitely postpone item eight, then we will be in a position of not having item eight before us, so therefore, I move this matter lie on the table until we dispose of item two unless it is the desire of the House now to take item two off the table.

The SPEAKER: The Chair will rule that item two cannot be taken off the table where it was specially assigned for tomorrow.

Mr. CHILDS: Therefore, Mr. Speaker, because of Mr. Mudge who is of the opinion and the State Government Committee is also of the unanimous opinion that item eight would be a saving to the State of Maine even though we did not pass item two, we certainly should be in favor of passing item eight, so until

item two is disposed of, I move that item eight lie on the table.

The SPEAKER: The Chair recognizes the gentleman from Bath but must remind him that the motion is not debatable.

The question before the House is the motion of the gentleman from Portland, Mr. Childs, that with respect to item number eight, the "Ought to pass" as amended by Committee Amendment "A" Report be tabled and assigned for tomorrow 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.

The SPEAKER: The Chair now lays before the House item number nine, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Pollution Survey", House Paper 255, Legislative Document 353, tabled on May 17 by the gentleman from Brunswick, Mr. Walsh, pending acceptance of the Report, and the Chair recognizes that gentleman.

Mr. WALSH: Mr. Speaker and Ladies and Gentlemen of the House: As I understood from the gentleman from Bangor, Mr. Stanley, there are funds for considerable help towards pollution—not pollution survey but aid to communities and municipalities in sewage disposal in the supplemental budget, wherever that is. I would now move that we accept the "Ought not to pass" Report because I realize that this is a door-opening proposition and there is no need to go into detail, I move we accept the "Ought not to pass" Report.

The SPEAKER: The question before the House is the motion of the gentleman from Brunswick, Mr. Walsh, that with respect to Bill "An Act relating to Pollution Survey" the House accept the "Ought not to pass" Committee Report. Is this the pleasure of the House?

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

The SPEAKER: The Chair now lays before the House item number

ten, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Appropriations and Financial Affairs on Resolve Authorizing Aeronautics Commission to Conduct an Augusta-Waterville Airport Survey, House Paper 1066, Legislative Document 1524, tabled on May 17 by the gentleman from Augusta, Mr. Carey, pending acceptance of the Report. The Chair recognizes the gentleman from Raymond, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker, I notice that the gentleman from Augusta, Mr. Carey, is not present, neither is the gentleman from Waterville, Mr. Coyne, and I move this lie on the table until tomorrow.

The SPEAKER: The question before the House is the motion of the gentleman from Raymond, Mr. Edwards, that with respect to Resolve Authorizing Aeronautics Commission to Conduct an Augusta-Waterville Survey, the "Ought to pass" Report be tabled and specially assigned for tomorrow pending acceptance. Will those who favor the tabling motion please say aye; those opposed, no.

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

Sixty-three having voted in the affirmative and twenty-four having voted in the negative, the motion prevailed, and the Report was so tabled.

The SPEAKER: The Chair now lays before the House item number eleven, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act Increasing Salary of Members of the Legislature", House Paper 1023, Legislative Document 1456, tabled on May 20 by the gentleman from Portland, Mr. Childs, pending the motion of the gentleman from Auburn, Mr. Walker, that the report be indefinitely postponed. The gentleman from Auburn, Mr. Walker, had requested a division on his motion.

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

Mr. HAUGHN: Mr. Speaker, out of courtesy to the sponsor of this bill, the gentleman from Bucksport, Mr. Pierce, who is not now present who will be here tomorrow, I move this lay on the table until he arrives back here tomorrow. I know he is deeply concerned and interest-

ed and in courtesy to him I move it be tabled to tomorrow.

The SPEAKER: The question before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that with respect to Bill "An Act Increasing Salary of Members of the Legislature" the "Ought not to pass" Report be tabled and specially assigned for tomorrow, pending the motion of the gentleman from Auburn, Mr. Walker, to indefinitely postpone. Will those who favor the tabling motion please say aye; those opposed, no.

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

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

Mr. CHILDS: Mr. Speaker, I know that the gentleman from Bucksport, Mr. Pierce, has an amendment to this bill, so therefore so we can discuss the amendment when the thing is presented in its third reading tomorrow, I hope the House will not go along with the gentleman from Auburn, Mr. Walker, to indefinitely postpone it.

The SPEAKER: The question before the House is the motion of the gentleman from Auburn, Mr. Walker, to indefinitely postpone the Committee Report on Bill "An Act Increasing Salary of Members of the Legislature". 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.

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

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

Mr. CHILDS: Mr. Speaker, I move we substitute the Bill for the Report.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that the Bill be substituted for the "Ought not to pass" Report. Will those who favor the substituting of the Bill for the "Ought not to pass" Report please say aye; those opposed, no.

A viva voce vote being taken, the

motion prevailed, the Bill was substituted for the Report, the Bill read twice and tomorrow assigned.

The SPEAKER: The Chair now lays before the House item number twelve, Bill "An Act relating to Sales Financing of Motor Vehicles" House Paper 993, Legislative Document 1421, tabled on May 21 by the gentleman from Lewiston, Mr. Dumais, pending the motion of the gentleman from Portland, Mr. Childs, to recede. This bill was indefinitely postponed in the House; was engrossed as amended by Committee Amendment "A" and Senate Amendment in the Senate. The question before the House is the motion of the gentleman from Portland, Mr. Childs, to recede. The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, looking around I see some vacant chairs. I know nothing about this bill. Mr. Dumais, the gentleman from Lewiston, informed me he was going to be late but he was coming to the evening session. I don't know whether he is or not, and I will make a motion that the bill be tabled—

The SPEAKER: The Chair would advise the gentleman that Mr. Dumais is coming down the corridor right now.

Mr. JALBERT: I move that the House be at ease until he gets here.

The SPEAKER: The House may be at ease.

#### House at Ease

Called to order by the Speaker.

The SPEAKER: For the benefit of the gentleman from Lewiston, Mr. Dumais, the House is now discussing item twelve on page ten of the calendar, Bill "An Act relating to Sales Financing of Motor Vehicles" which was tabled on May 21 by the gentleman from Lewiston, Mr. Dumais, pending the motion of the gentleman from Portland, Mr. Childs, to recede.

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

Mr. DUMAIS: Mr. Speaker, I have a House Amendment, House Amendment "A" to House Paper 993, L. D. 1421—

The SPEAKER: The Chair would advise the gentleman that the first motion to be in order would be that the House recede from its previous action whereby it indefinitely postponed this bill. That motion is the pending question. The question before the House is the motion of the gentleman from Portland, Mr. Childs, that the House recede from its action whereby it indefinitely postponed this bill. Will those who favor the motion to recede please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

Mr. Dumais of Lewiston offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 993, L. D. 1421, Bill, "An Act Relating to Sales Financing of Motor Vehicles."

Amend said Bill in that part designated "Sec. 249" of section 1 by striking out the underlined word and punctuation "taxes," in the 8th line.

Further amend said Bill in that part designated "Sec. 250" of section 1 by striking out all of subsection III; and by renumbering subsections IV and V to be III and IV.

Further amend said Bill in that part designated "Sec. 255" of section 1 by striking out the underlined figure "\$7" in the 5th line and inserting in place thereof the underlined figure "\$6"; and by striking out the underlined figure "\$11" in the 9th line and inserting in place thereof the underlined figure "\$8"; and by striking out the underlined figure "\$15" in the 10th line and inserting in place thereof the underlined figure "\$10"

Further amend said Bill by striking out all of those parts designated "Sec. 256" and "Sec. 257" of section 1.

Further amend said Bill by renumbering those parts designated "Sec. 249 to 260" of section 1 to read "Sec. 249 to 258"; and by striking out the underlined words and figures "sections 249 to 259" wherever they appear in said Bill and inserting in place thereof the under-



lined words and figures 'sections 249 to 257'

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

Mr. WADE: Mr. Speaker and Members of the House: This bill, L. D. 1421, An Act relating to Sales Financing of Motor Vehicles, is a bill that has been prepared during the past two years through the joint efforts of the Maine Automobile Dealers' Association, the finance Companies who operate in the State of Maine, the commercial banks of the State and the State Banking Department. It is the result of objections regarding the abuses practiced in the automobile financing business and also as a result of a very severe and unworkable bill that was introduced into the 97th Legislature. As I said, this bill has been carefully prepared.

On the other hand, the amendment which the gentleman from Lewiston, Mr. Dumais, proposes to add to the bill, to a large measure takes away the worthwhile nature of the bill. The second paragraph, the license fee as regards the dealers is removed by the amendment and it seems to me entirely reasonable that a bill of this kind designed to supervise and correct inequities in the operation of automobile financing should pay for itself. This fee was put in with the the entire agreement of the Automobile Dealer's Association in recognition of the fact that it will involve expense on the part of the Banking Department. The third paragraph of the amendment reduces the limits of charges particularly on older cars below the point at which it is generally recognized that any type of organization can carry on an automobile financing business on that type of commodity. The fourth paragraph eliminates provisions regarding anticipation of payment or the extending of the retail instalment contract. Both of these provisions have again been agreed upon by the people interested and the people who prepared this bill. I move that the amendment, filing 485, House Amendment "A" be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of

the gentleman from Auburn, Mr. Wade, that the House indefinitely postpone House Amendment "A".

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

Mr. SHEPARD: Mr. Speaker and Members of the House: I concur with the gentleman from Auburn, Mr. Wade, in the fact that this is a very good bill, a very fair bill as written with the Committee Amendment. He has already pointed out I believe that it brings automobile financing under control of the Bank Commissioner. It is now entirely uncontrolled and a few people do get hurt occasionally. I don't know what more I can say to substantiate my belief in this bill than to make an imaginary illustration of what could happen without the benefit or protection of this bill.

For example, when we finally adjourn next Wednesday afternoon at 3:10 in the afternoon, we are going to feel free, exuberant, a touch of spring fever possibly and a combination of feelings, load five or six armful of literature that we have collected into our automobiles and head for home. On the way home we decide that our buggy has developed an unusual amount of rattles and so forth this winter, so the first automobile dealer we go by we stop and are bitten by the new car fever. We finally agree on a price and suddenly I remember that my wife has promised to have a T-bone steak for supper and has invited some friends in, and we have agreed to be home at 6:00 o'clock. The automobile dealer's secretary is out for a coffee break which started at 2:00 o'clock and she will be back at 4:00, so we drive off without completing the conditional sales agreement, and the dealer assures us that he will mail those forms within the next two or three days. We continue home and after arriving home we do receive those forms two days later and find that the payments instead of being \$97.50 per month, they are \$129.50 per month.

We are vexed and sore and living in my location I resort to the help of the gentleman from Bangor, Mr. Quinn. He looks the contract over and asks us if this is our signature and we agree that it is and

he shakes his head and says that he is sorry there isn't anything that he can do for us. It is an agreement that we have signed. That is an imaginary example, but those things have happened. Under this bill, we could take our contract if we were unsatisfied with it and come into the Bank Commissioner's office and have it reviewed and if there was anything wrong, it would be corrected. This bill would also eliminate in that we wouldn't be permitted to sign a blank conditional sales agreement, that is one of the requirements of the bill. The automobile finance companies will all use a uniform contract, all the same form, the same wording, and on page six of the bill if you happen to have it handy are the six items, six or seven items that will be defined in that contract. The cash sale price of the motor vehicle, the amount of the buyer's down payment, the difference between items A and B, and so forth including the recording fee not to exceed \$4.00 which will include a credit report on the purchaser. It certainly is a good bill and I hope we pass it without further amendments.

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

Mr. DUMAIS: Mr. Speaker and Members of the House: I hope the gentleman doesn't decide to change his car on his way home. The amendment that I have prepared reduces the interest from approximately twenty-six per cent or twenty-five point two to seventeen point two. The rest of the bill stays the same, the agreements are the same and everything is the same. I also crossed out the taxes in there because I don't believe that according to the laws of the State of Maine that we can finance the sales tax. Also I have crossed out in there that little clause on section 256 that says if you decide that you have been overcharged and you return to pay that, you are taxed automatically \$25.00. I also have crossed out the 257 that should you have a little hard luck in your — a little late in your payment, they will charge you at least \$5.00, then one per cent per month. And I think

that seventeen point three is high enough in taxes—interest, for any car three or four years old, and certainly they will derive out of this bill \$15,000 to administer this law alone. Now let me assure you ladies and gentlemen of the House, that nobody is going to pay this \$15,000 but you the people that buy these automobiles. Don't think that the dealer is going to pay that \$15,000. If you think so you have got another thought coming. The jack is going to cost you more or the spare tire or something is going to cost you more. I personally believe that the whole bill was drawn up wrong, and I have repeatedly told the lawyer lobbyists who have questioned me about the bill. It might have had the sanction of five or six dealers but I don't believe that every dealer was called into it. I have canvassed the dealers in Lewiston and Auburn and I only found one that knew a little bit about this bill, and if you think that you would like to pay seventeen point two or three interest on your three or four year old car that you buy, then I think you should vote against my amendment. But if you think that seventeen per cent is enough then I think you should support my amendment. I have no faith in the bill to tell you the truth; I think it is a very bad bill, and notwithstanding, I know that there are some gyp artists, but I have been in this business since I have come back from the service in '46, and let me assure you that I never clipped anybody yet such as the gentleman has said. If I made up a contract, and the way to finance contracts are now, they are marked very plainly, one is for tax and one is for the car and how much the finance charges are. Now over here they are charging the finance companies such as the small loan companies \$100. Also in this bill which was drawn up by the banks, they are not charging the banks anything, this is a sideline for the banks. The banks are not paying \$100, and the lobbyists that have explained it to me that have been in the corridors, say the banks are already paying so they won't have to buy the license. Well so are the finance companies. The small loan companies are paying \$50 now, but

they will pay \$100 under this bill. I think this amendment is a good amendment for the small people, for we, the people that do buy automobiles once in awhile, and I am sure that every member of this House at one time or another does buy an automobile, so I think that this amendment certainly goes right to the point to protect us. If the finance company cannot finance for seventeen per cent on all the cars, then I don't think that they want to operate in this state. That's all.

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

Mr. CHILDS: Mr. Speaker, I only want to speak on two of the matters the gentleman from Lewiston, Mr. Dumais, has spoken on. First of all, he spoke about the increase for the license for dealers and the increase for the license for the finance companies. The purpose of the increase is for the purpose of administering this bill and regulating finance companies. If we pass this amendment it would mean as far as those two things are concerned that the State would have to pick up the tab for administering this particular regulation of automobile financing. Now I believe myself that the dealers and the finance companies themselves should pay for the regulation. And as far as the interest rates are concerned, there is no question in my mind if this amendment passes it will put finance companies right out of business.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: As this bill is written I can see some good points about it, but I can see some very bad points about it. Now what it would do if passed as is, it would legalize some of the crooked business that is going on in the financing world which I know very much about. I see it happen half a dozen times a week, these fellows coming in showing me what they have to pay. Not long ago a fellow came in and financed a car for \$1900 and I looked it over and I said if you had financed this in the right place and gone to a bank and hired the money at six per cent you know what you would have saved

and I am almost ashamed to tell you, and he said what, and I said you could save yourself \$404. Now that is what is going on in connection with this thing. So I went up to the Bank Commissioner and I talked it over with him, and he said there could be some things that could be made much better by an amendment. Now I didn't discuss what that amendment was and whether it was this amendment because we have indefinitely postponed it, and whether this is the amendment is what he had in mind I don't know, but I do know that seventeen per cent interest is quite a lot to carry. They can hire this money a great many times at six per cent.

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

Mr. SHAW: Mr. Speaker, I think personally that this bill has a lot of merit. I am a little bit familiar with the financing business as it pertains to the automobile industry. In fact this is the first attempt to regulate this industry at all. Not it is very possible today that they could charge any amount of interest that they wanted to charge. They could charge you \$40 on a hundred if they wanted to. I don't know what the exact amounts call for in this particular bill, but I can assure you also that this industry is a little bit competitive, and I think if the industry wants to regulate their industry and establish some maximum as far as its interest charges are concerned, that there should certainly be nothing prohibitive about it. I think it is an ideal situation, and I just don't understand the thinking on it because you speak about the charges per hundred dollars, and certainly it is not a matter of whether or not they are compelled to charge the interest rates set forth in this particular bill, it just establishes a maximum whereby as it stands now there is no maximum established. Again I say that this is highly competitive and I can assure any member of the House that wants to buy a second-hand car, that I can arrange the financing for them for five per cent, and if it is a new car, four and a half per cent, so I don't see

anything wrong with this piece of legislation.

The SPEAKER: The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker and Members of the House: I believe this bill would certainly help correct the situation down in Bowdoinham.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Auburn, Mr. Wade, that the House indefinitely postpone House Amendment "A". Will those who favor the motion to indefinitely postpone House Amendment "A" please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

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

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

The SPEAKER: The Clerk will read Senate Amendment "A".

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

SENATE AMENDMENT "A" to H. P. 993, L. D. 1421, Bill, "An Act Relating to Sales Financing of Motor Vehicles."

Amend said Bill in that part designated "Sec. 255" of section 1 by striking out the underlined figure "\$15" in the next to last line of subsection I and inserting in place thereof the underlined figure '\$13'

Senate Amendment "A" was adopted in concurrence, the Bill was given its third reading, and having been reported by the Committee on Bills in the Third Reading was passed to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" in concurrence and sent to the Senate.

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On motion of Mr. Totman of Bangor,

Adjourned until nine-thirty o'clock tomorrow morning.