

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Special Sessions

OF THE

Ninety-Eighth Legislature

OF THE

STATE OF MAINE

October 28, 1957

January 13, 1958

May 6, 1958

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Monday, January 13, 1958

This being the day designated in the proclamation of the Governor for the meeting of the Ninety-Eighth Legislature in a second extra session, the members of the House of Representatives assembled in their hall at four o'clock in the afternoon and were called to order by the Speaker.

Prayer was offered by the Rev. Mr. Alton E. Maxell of Augusta.

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

The following Proclamation:

**STATE OF MAINE
PROCLAMATION
By the Governor**

WHEREAS, it appears advisable that the Legislature of this State should meet in special session for the following purposes:

To consider an Act Relating to Educational Aid and to Clarify the Procedure of the Reorganization of School Administrative Units, otherwise known as the "Sinclair Bill."

To consider any other legislation to promote the general welfare of the State.

NOW, THEREFORE, I, EDMUND S. MUSKIE, Governor of the State of Maine, by virtue of the power vested in me as Governor, convene the Legislature of this State, hereby requiring the Senators and Representatives to assemble in their respective chambers at the Capitol at Augusta on Monday, the thirteenth day of January, 1958 at four o'clock in the afternoon in order to receive such communication as may then be made to them and to consider and determine on such measures as in their judgment will best promote the welfare of the State.

GIVEN at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine, this thirtieth day of December in the year of our Lord One Thousand Nine Hundred and Fifty-seven, and of the United States of

(SEAL)

America, the One Hundred and Eighty-second.
EDMUND S. MUSKIE
Governor

By the Governor:
PAUL A. MacDONALD
Deputy Secretary of State

A true copy.
Attest: PAUL A. MacDONALD
Deputy Secretary of State

The Proclamation was read by the Clerk and ordered placed on file.

At this time, a message was received from the Senate, borne by Senator Sinclair of Somerset, informing the House that a quorum was present and that the Senate was ready to transact such business as might properly come before it.

The Clerk thereupon called the roll of the House. 139 members answered to their names and accordingly a quorum was found to be present.

Those who were absent were Messrs. Blanchard, Day, Duquette, Hathaway, Hendsbee, Hersey, Hoyt, Maynard and Rancourt.

There were nine vacancies.

On motion of Mr. Ross of Bath, it was

ORDERED, that a Committee of seven be appointed to wait upon His Excellency, the Governor, and inform him that a quorum of the House of Representatives is assembled in the Hall of the House for the consideration of such business as may come before the House.

The Chair appointed the following members to the committee:

- Messrs. ROSS of Bath
- WADE of Auburn
- EMMONS of Kennebunk
- HAUGHN of Bridgton
- WALSH of Brunswick
- ELWELL of Brooks
- SAUNDERS of Bethel

Subsequently Mr. Ross for the Committee reported that it had attended to the duty assigned to it.

On motion of Mr. Browne of Bangor, it was

ORDERED, that a message be conveyed to the Senate that a quo-

rum of the House of Representatives is present for the consideration of such business as may come before the House.

Thereupon, Mr. Browne of Bangor was designated by the Speaker to convey the message to the Senate and he subsequently reported that he had performed the duty assigned him.

The following Communication:

DEPARTMENT OF STATE
STATE OF MAINE
AUGUSTA

January 13, 1958

To Harvey R. Pease, Clerk of the House of Representatives of the Ninety-eighth Legislature:

In compliance with Section 1 of Chapter 10 of the Revised Statutes, I hereby report that there are two more vacancies in the House of Representatives in addition to the two reported at the last Special Session on October 28, 1957.

Honorable Lewis G. Hersey of Fort Fairfield submitted his resignation December 17, 1957, a copy of which is herewith attached.

Honorable Alex J. Latno of Old Town is deceased.

Respectfully,

(Signed) HAROLD I. GOSS
Secretary of State

The Communication was read and ordered placed on file, and the names stricken from the rolls of the House.

The SPEAKER: The Chair is advised that the elected membership of the House is now 147.

At this time, a message was received from the Senate, borne by its Secretary, proposing a Joint Convention to be held forthwith in the Hall of the House of Representatives for the purpose of listening to an address by His Excellency, Honorable Edmund S. Muskie, Governor of Maine.

The Clerk was charged with and conveyed a message to the Senate informing that body that the House concurred in the proposal for a Joint Convention.

The Clerk subsequently reported that he had delivered the message with which he was charged.

House at Ease

The Senate then entered the Hall of the House and a Joint Convention was formed.

In Convention

President Haskell of the Senate in the Chair.

On motion of Mr. Low of Knox, it was

ORDERED, that a Committee be appointed to wait upon the honorable Edmund S. Muskie, Governor, and inform him that the two branches of the Legislature are in Convention assembled in the Hall of the House of Representatives, and extend to him an invitation to attend the Convention and present such communication as he may be pleased to make.

The Chairman thereupon appointed as members of that Committee on the part of the Senate:

Senators:

LOW of Knox
LESSARD of Androscoggin
DUNN of Kennebec

and on the part of the House:

Representatives:

ROSS of Bath
BROWN of Ellsworth
SHEPARD of Stonington
CHRISTIE of Presque Isle
WALSH of Brunswick
CORMIER of Ramford
EDWARDS of Raymond

Subsequently, Senator Low for the Committee reported that the Committee had discharged the duty assigned to it, and that the Governor was pleased to say that he would attend forthwith.

The CHAIRMAN: The Chair would ask unanimous consent of this Convention that your distinguished Speaker, the Honorable Joseph T. Edgar, serve as Chairman pro tem of this Convention. Is there objection? The Chair hears none. (Applause)

The CHAIRMAN pro tem: The Convention may be at ease.

(Convention at Ease)

Called to order by the Chairman pro tem.

Thereupon, the Honorable Edmund S. Muskie, Governor, accompanied by the Executive Council and the Heads of the State Departments and announced by Lt. Robert Packard of the Maine Air National Guard, entered the Hall of the House of Representatives amid applause, the audience rising.

The Governor then addressed the Convention as follows:

The Message

Mr. President, Mr. President pro tem and Members of the 98th Legislature:

As you convene again for the purpose of rendering important service to the people of Maine, it is a privilege and a pleasure to welcome you back to Augusta. Mrs. Muskie and I join in the hope that you each face the new year with your spiritual resources renewed, and with confidence that the problems and challenges which lie ahead will yield to men and women of good will working together in a free society.

As I have given consideration to the items of business which I should properly place before you, I have been confronted by the fact that, with the passage of time since your regular session, new developments and changing conditions have inevitably disclosed many needs and problems to which your attention could justifiably be called. They are such that the State would profit if we were in a position to give to its affairs the kind of comprehensive and detailed study and action which is possible in a regular session. Unfortunately, such study and action is not possible in a special session. Substantial changes in or additions to the broad and complex fabric of state services and obligations should not be contemplated without the months-long analysis and preparation, budgetwise and program-wise, which they receive, in accordance with established procedures, prior to a regular session. New services and the expansion of existing services have an impact upon established services and other contemplated new services which should be thoroughly evaluated before final action is taken and commitments

made. Moreover, all are affected by current uncertainties as to economic conditions and revenue yields which we should not attempt to measure hastily or piecemeal. In the light of these considerations, the conclusion seems inescapable that the business of a special session must be limited business.

I have limited myself accordingly with respect to the items which I shall present to you. For reasons which are implicit in what I have already said, I shall omit several proposals which in my opinion would be worthy of consideration in a regular session.

The Sinclair Bill

The first item of business, of course, is that for which this special session was convened—to consider recommended amendments to the Sinclair Bill.

I touched upon the need for such amendments in my message to the first special session of this legislature. In that session you created a joint committee of the Senate and the House to work with the School District Commission, the Department of Education, and other interested officials and citizens in the preparation of the necessary legislation. The suggested legislation on this subject which has been distributed to you is the product of the work of these groups. It has been their effort to meet the following objectives without changing any of the basic principles found in the original act:

1. To remove possible doubts as to the constitutionality of the act, particularly with regard to the delegation of legislative authority to the School District Commission; and

2. To spell out, in more detail, the procedures to be followed, both in the formation of and in the operation of a School Administrative District.

Inasmuch as you have the proposed legislation before you, I will not undertake a comprehensive discussion of the suggested amendments at this time. I will confine my discussion to a few illustrations of the changes involved.

For example, with respect to the delegation of authority, the bill before you sets up specific require-

ments relative to the number of pupils in grades 9 through 12, or an alternative standard, to wit, that there must be an existing Community School District functioning on the secondary level on April 1, 1957. Further, in the realization that it may not be possible in a given situation to meet these requirements, the bill provides that the School District Commission may receive an application in such a situation and recommend to the Legislature the formation of a smaller School Administrative District. The Legislature will then pass upon the necessity for formation of the smaller district, but no such district will be formed unless and until the people within the district have voted in the affirmative.

Similarly, the bill provides for state financial assistance on school construction to School Administrative Districts, including single municipality administrative units where the April 1st enrollment of resident pupils in grades 9 through 12 for that year is over 700 pupils, and in smaller administrative units when in the judgment of the Legislature, on recommendation of the Commission, the formation of a School Administrative District by consolidation is not geographically or educationally practical.

Also, with respect to delegation of authority, the bill before you would eliminate the authority of the School District Commission to define an efficient school administrative unit or to define an inefficient unit. There was no standard in the original bill to guide the Commission in arriving at such determinations, to which were tied certain bonuses. The bonuses have not been eliminated but would now be computed by a purely mechanical process which is set out in the bill.

Illustrative of what the bill does with respect to procedural details are the following:

1. It more completely spells out the manner of calling meetings to determine the representation in a proposed school administrative district.

2. It clarifies the transfer of existing school property and assets held by municipalities, community school districts, or coterminous school dis-

tricts to the new school administrative district.

3. It clarifies budget approval procedure.

4. It sets out a procedure for calling and conducting district meetings to approve the issuance of school bonds for capital outlay purposes, to approve lease agreements with the Maine School Building Authority, or to approve the addition or merger of other towns with an existing school administrative district.

These, and other changes included in the bill, have been given careful thought and study by the various groups to which I have referred. They merit your serious consideration.

The sobering events of the past few months on the international scene, which are stimulating a country-wide re-appraisal and re-evaluation of our educational system, re-confirm the wisdom of your action in enacting the original Sinclair Bill into law. Realizing, as never before, the vital importance to our national survival and well-being of maximum development and utilization of the talents and aptitudes of all our young people, wherever they may live and whatever their economic circumstances, we can welcome this timely opportunity to insure that the basic principles and objectives of the law will be effectively implemented. Indeed, in the national interest, as well as our own as a state, we have a responsibility to do so.

Highway Matters

A second, important item of business, calling for clear-cut and definite decisions at this time, relates to the program for construction of the Federal Interstate Highway in Maine.

The objective, with which we are all in agreement, I am sure, is to program that construction in such a way as to bring, to all areas of the state, the economic benefits, which the highway will stimulate, as rapidly as possible. We should oppose discrimination against any area, and we should support the legitimate aspirations of every area. We should be as concerned with the needs of the farmer, the fisherman, the woodsman, and the resort owner,

situated in the remoter sections of the state as with those of the industrial and business community in urban centers.

To strike this kind of a balance is a problem to tax the ingenuity of the wisest among us. Understandably, each interested group, community, and region would like to get attention immediately; but, of course, there is no way of bringing the entire highway into existence overnight. At best, we can assure each that their needs are recognized and that the program initiated is designed and intended to link them into the system as directly as possible and with a minimum of delay. And we should not overlook the fact that the interstate highway is only a part of a statewide network of some 20,000 miles of roads reaching into every corner of the state, and that construction programs applicable to roads not in the interstate system should be related to and may be affected by changes in the interstate program. Such programs indeed may be of more immediate importance to some areas than the interstate highway and should be considered as decisions are made.

It should be a source of gratification to us all that there has been such widespread and spirited discussion of the various alternatives which should be considered. Enthusiasm for particular points of view has reached an intensity which serves a useful purpose provided it is not diverted from an objective consideration of the alternatives to baseless attacks against the motives of those who, while in agreement as to the over-all objectives, support a different point of view as to the program best designed to reach those objectives. To pit group against group, area against area, in a bitter scramble for preferment, when what we honestly want is to serve all, could have tragic consequences for the future of our entire highway program.

It is true of this problem, as it is of all others under a democratic form of government, that the interests we hold in common are best served when there is just such widespread participation in the decision-making as we have experienced in this instance. No one group, of whatever persuasion as to the

merits, should be permitted to impose its will upon an uninformed public. Let the people have free and complete access to the facts—but, to all the facts, and their collective judgment is more to be trusted than the judgment of any one group.

Having reached this point of decision, each of you is entitled to an opportunity to register your opinion. Unusual efforts have been made to disclose all the facts. The Highway Commission has stated its position. The Legislative Research Committee, to which you delegated the responsibility for reviewing the interstate program, has stated its position. I have stated my position. Legislative Document 1639, "An Act Relating to Priority of Construction on Interstate Highway System," which will be introduced by Representative R. Lafayette Ervin, will give you another opportunity to state your position. Whatever it may be, let us all resolve to close ranks and work together to implement it as expeditiously as possible to the end that we may get this important job done with a minimum of further delay.

In this connection, I refer you next to Legislative Document 1657, "An Act Allocating Eight Hundred and Fifty Thousand Dollars from the Highway Bond Issue Proceeds to Highway Construction for the Fiscal Years 1958-59."

At your regular session you provided for highway financing for a four-year period. In the highway allocation act, you allocated such funds as would be needed in the first two years of that period. With respect to the Interstate Program, it now appears that more authorizations may be made during the first two years than was contemplated during the regular session. It is proposed, therefore, to transfer \$850,000.00 from the third and fourth years of the four-year period to the second year of the current biennium, thus expediting the utilization of available Federal funds for construction of the Interstate Highway. The total state requirements in the four-year period will be unchanged unless there are subsequent changes authorized by the Legislature.

Also involved in the Interstate Highway Program is another matter which I now bring to your attention. At your regular session, you enacted legislation providing for reimbursement to utilities of the cost of relocation of their facilities, when such relocation was necessitated by the construction of the Interstate Highway System; and the sum of \$12,500.00 was appropriated out of the general fund for each year of the current biennium to cover the state's share of the cost. These amounts represented 10% of the estimated relocation costs, the balance of 90% being reimbursable out of available Federal funds.

For reasons which are stated in the statement of facts appended to L. D. 1643, the estimates upon which the appropriations were based proved inaccurate. In order to fully implement the purposes of the legislation, and on the basis of current and more accurate estimates, the appropriation should be increased to \$43,000.00 for each year of the current biennium. It seems desirable to take advantage of the very generous Federal reimbursement for the benefit of Maine ratepayers. Otherwise, the impact on them, particularly with respect to the smaller utilities, could be heavy.

While we are dealing with this subject, you should note that the legislation enacted at your regular session was applicable, by its terms, only to utilities under the jurisdiction of the Public Utilities Commission. Municipalities having services of the same general nature, e.g., sewers, police and fire alarms, street lamps, etc., are not under the jurisdiction of the Commission and, therefore, are not eligible for reimbursement. Corrective legislation, with the necessary appropriation, is proposed.

Status of General Fund

At this point, it seems to me appropriate to inform you relative to the financial condition of the State. The appropriations which I have already discussed, and others which I shall discuss shortly, may suggest questions in this respect.

As has already been disclosed, General Fund undedicated revenues for the current fiscal year have fall-

en short of estimates which were projected at the time of your regular session. Specifically, it was estimated that we would receive, in the six months ending December 31, 1957, total General Fund revenues in the amount of \$25,059,361.00. Actual receipts were \$24,294,527.87. Receipts, therefore, fell short of estimates by \$764,833.13. There appear to be two major reasons for this result:

1. July sales tax receipts, which were based on June sales, did not reflect the one-cent increase in the sales tax; and

2. A relatively small, but measurable, decline in economic activity country-wide which has had a depressing impact on the revenues of other states as well as our own.

Accurate definition of our current position requires the following additional observations:

1. General Fund appropriations for this fiscal year totalled \$51,478,215.31, or \$964,722.69 less than estimated revenues of \$52,442,938.00. Thus, as of December 31, 1957, we still had freeboard in the amount of \$199,889.56.

2. General Fund revenues from all major sources except the sales tax were at or slightly above estimates.

3. The current trend is such as to suggest that General Fund revenues may level off at or very slightly under estimates.

4. We must be alerted to the necessity of watching economic trends closely, of exercising prudence in the expenditure of State funds, and of making plans to adjust to any marked downward trends in the national economy which may develop. Administratively, the alert has been sounded and the executive branch will conduct its affairs accordingly.

With respect to the unappropriated surplus of the General Fund, the balance as of June 30, 1958, should be sufficient to support the appropriations which you will be asked to consider. The experience of the first six months indicates that we can expect reasonable lapsing balances which, when added to existing unappropriated balances, should leave us with a reasonable margin over and above the requests which will be presented to you.

This entire picture has been carefully studied and analyzed with the assistance of the Department of Finance and Administration; and enactment of the various appropriations measures referred to in this message, if they appeal to you on their merits, can be supported as consistent with prudent financial management.

Capital Improvements

For reasons which will be stated, it seems wise to present for your consideration two proposed capital improvements.

The first would provide an addition to the central heating plant at the University of Maine. A recent survey by a firm of consulting heating engineers indicates that it is absolutely necessary to provide additional steam capacity to be used in the winter of 1958-59.

The importance of providing a solution to this problem is highlighted by the fact that the University has currently under construction a 1600 capacity men's dining hall, and this coming spring, will start construction on a Physics Building, an Animal-Poultry Science Building, and a Men's Dormitory, for which heat will be required during the winter of 1958-59.

The proposed addition is the long-range answer to the problem. The alternative is some expedient involving the expenditure of funds for temporary and inadequate construction, some of which would have little if any salvage value. The addition is a necessary part of the long-range expansion program at the University which has already been envisioned and set in motion; and it seems sensible to authorize it at this time.

The second problem involves, among others, the question of the adequacy of legislative hearing rooms and is presented to you at this time so that you may have an opportunity to take appropriate action if you wish, prior to the next regular session of the Legislature.

The contract for certain alterations to the Capitol Building, after the moving of most departments into the new State Office Building, has been completed. In addition to hearing rooms, there remains the problem of providing adequate Sen-

ate offices, executive offices, press working space, and related facilities.

The Joint Select Committee on State House Renovations, with the assistance of the Bureau of Public Improvements, and after discussions with the Governor and Executive Council, has developed recommendations which are sound and worthy of your consideration. Certainly you will wish to give these recommendations careful and thoughtful study. If, consistent with that objective, you find it advisable to give your approval at this session, your action would have the support of all those who have participated in the development of the plans, and adequate facilities would then be available for all hands at the next regular session twelve months from now.

Additional Legislation

In addition to the foregoing, you are asked to give your attention to the following items:

1. In your first special session, you gave consideration to clarification of legislation enacted at the regular session relative to procedural methods and the administration of the Island Ferry Service which was approved by the people last September. Final action was postponed until this session. L. D. 1640 proposes such changes in the original act as will effectively set up the operation of the island ferries as a public service enterprise.

2. In your regular session you approved a salary plan for state employees. Through an oversight, funds were not provided to implement the plan with respect to employees of the Maine State Liquor Commission. L. D. 1641 proposes to correct this oversight by permitting allocation of liquor revenues in the amount of \$52,875.00 for the second year of the biennium for this purpose. The Commission has been able to absorb salary increases for the first year of the biennium.

I have concluded my discussion of items of business to which I think special attention should be given. Unavoidably, there is an obvious problem as to what other items you may wish to consider. Out of a desire to be of assistance to you, and without any intention of depriving you of the prerogatives which

are exclusively yours, legislative leaders of both parties, after discussions with me, have arranged for advance printing of several proposals which, it appeared you might wish to have presented to you. They cover several purely local problems and a few of more general interest. These items, together with those I have discussed, are included in Legislative Documents 1637 through 1669. You, of course, will determine whether or not this session is to be limited to consideration of these Legislative Documents.

I know it is the instinct of each of us, in our public service, to reach for the highest possible standards of judgment and decision. Abraham Lincoln has said it in these words, "In times like the present, men should utter nothing for which they would not willingly be responsible through time and in eternity." In that spirit, may I extend to you my sincere wish for a successful culmination of your deliberations.

At the conclusion of the address, the Governor, accompanied by his Council and the Heads of Departments, then retired amid the applause of the Convention, the audience rising.

The CHAIRMAN pro tem: At this time the Chair on behalf of the House would like to thank the Senate through its President for the kindness of the Senate in permitting the House to take part in the conduct of this joint convention.

Thereupon, the purpose for which the Convention was assembled having been accomplished, the Convention was dissolved, and the Senate retired to its chamber, amid the applause of the House, the members rising.

In the House

The House was called to order by the Speaker.

On motion of Mrs. Christie of Presque Isle, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

Order Out of Order

Mr. Ross of Bath presented the following Order and moved its passage:

ORDERED, the Senate concurring, that unless received by unanimous consent in both branches, the only bills and resolves to be considered at this Special Session, shall be those designated Legislative Documents No. 1637 to 1669, inclusive.

This Order shall not apply to such bills or resolves as are intended only to facilitate the business of the Special Session.

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

Mr. ROSS: Mr. Speaker, in presenting this Cloture Order I would like it understood that no small group is trying to force its will upon any Legislator. Everyone certainly is entitled to express their views and then to vote accordingly. Prior to the session, as you know, the Speaker sent letters to every member of the House outlining three alternatives for the conduct of this session. First, there could be immediate cloture. Secondly, there could be a twenty-four hour delay or thirdly, it could be completely open. The replies that came back were two to one in favor of a closed session. Because of this, and only because of this, the Committee of the Reference of Bills screened the proposed items presented to it, and except for the Sinclair Bill and the Highway Bill, the other suggested items are either non-controversial or of a local nature and they all seem to warrant immediate action. Pre-session planning was then done by the Speaker of the House and the President of the Senate. This was only to assure orderly and speedy procedure if the cloture order should be adopted.

At this time I would like to point out just three things. Tabling this order only will serve no useful purpose if you intend to eventually pass it. In other words, it was thought by several members at the last session that if the order were tabled overnight that would mean between then and the next morning they could get bills admitted. Because of the wording of this order, that will not be so. If the bill should be tabled so that it could eventually be changed then there would be justification in tabling it. Secondly, may I point out that a twenty-four hour respite would only mean that our session

would be lengthened at least two weeks, and thirdly may I point out that the cost of a special session is between \$3,000 and \$4,000 daily. Neither the Speaker nor the floor leaders have attempted to influence the decision. This prerogative is certainly yours, and now I would like to move passage of this order, and I request a division.

The SPEAKER: The question before the House is the motion of the gentleman from Bath, Mr. Ross, that this joint order receive passage.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: I certainly do believe the thinking is sound to a certain point of our beloved Speaker and our very capable and able Floor Leader, Mr. Ross, for I certainly hold both of you in high esteem in your wisdom, but I do believe in fairness that when we closed this last special session we had a joint order here presented to us on this same principle to be screened by a committee on any bills which may come before us. This body very overwhelmingly defeated that joint order. It was brought in for reconsideration and it was defeated once again when we left here. I realize the cost of this whole thing, but our democratic government is certainly not being represented as stated here before when we are not allowed—I have no bill myself, but I know there are others who have, how mild they may be in the opinion of the whole body, individually in that district they are certainly important, and I would hate to see the prerogative of any Legislator to go back home and say it has been taken away from him because he is not in a select or a favorite few, which the public is certainly going to state regardless of our thinking as individuals, that there are not or any individual group is influencing this particular type of legislation.

To my way of thinking that when we left here it was the understanding, and the word was spread back home I know by many, that there was a good possibility they would be able to get a bill in within a reasonable time. We defeated that purpose with the screening of a subcommittee, now we find that this

has definitely been done and the incentive of any individual from here in even with those bills, although it may be mild in some individual's mind, which are now in Mr. Slosberg's office, cannot come upon this slip because they are not printed, I certainly would be in favor of a twenty-four hour rule and that would give everybody ample time to get all bills in and those that are useless and unnecessary certainly can be defeated in fast time and give each and every one an equal opportunity.

The SPEAKER: The question before the House is the motion of the gentleman from Bath, Mr. Ross, as to the passage of this order and a division has been requested. Will those who favor the passage of this Cloture Order please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

112 having voted in the affirmative and 21 having voted in the negative, the Order received passage.

On motion of the same gentleman, under suspension of the rules, the Order was sent forthwith to the Senate.

The SPEAKER: At this time, under authority vested in the Chair by Rule 10 of the House Rules, the Chair will authorize the gentleman from Auburn, Mr. Wade, to change desks from his present desk, to desk number 22. If the gentleman will make that move. For the benefit of those who have not heard or were not present at the Republican Caucus this afternoon, the Republican Caucus elected the gentleman from Auburn, Mr. Wade, as its Assistant Floor Leader.

The SPEAKER: The Chair recognizes the presence in the House of the gentleman from Portland, Mr. Maynard, who was absent at the time of the roll call, and the Chair will instruct the Clerk to enter Mr. Maynard as being present.

Petitions, Bills and Resolves Requiring Reference

The following Bills and Resolves were received and were referred to the following Committees:

Appropriations and Financial Affairs

Bill "An Act Clarifying Administrative Procedure for Ferry Service for North Haven, Vinalhaven, Islesboro and Swan's Island (H. P. 1127) (L. D. 1640) (Presented by Mr. Ellwell of Brooks)

Bill "An Act Providing for the Construction of an Addition to the Central Heating Plant at the University of Maine" (H. P. 1129) (L. D. 1642) (Presented by Mr. Needham of Orono)

Bill "An Act Appropriating Moneys for Office of Director of Legislative Research" (H. P. 1132) (L. D. 1646) (Presented by Mr. Ross of Bath)

Bill "An Act to Allocate Moneys to Effectuate Salary Plan for Liquor Commission Employees" (H. P. 1128) (L. D. 1641) (Presented by Mr. Stanley of Bangor)

Bill "An Act Appropriating Additional Funds for Relocating Facilities in Federal-Aid Interstate Highway Projects" (H. P. 1143) (L. D. 1643) (Presented by same gentleman)

Resolve Providing for Legislative Hearing Rooms, Senate Offices and Executive Offices (H. P. 1130) (L. D. 1644) (Presented by Mr. Edwards of Raymond)

Sent up for concurrence.

Highways

Bill "An Act relating to Priority of Construction on Interstate Highway System" (H. P. 1126) (L. D. 1639) (Presented by Mr. Ervin of Houlton)

Resolve Directing a Study related to a Bridge to Chebeague Island (H. P. 1140) (L. D. 1654) (Presented by Mr. Call of Cumberland)

Sent up for concurrence.

Judiciary

Bill "An Act to Ratify and Make Valid the Incorporation of the Hebrew Synagogue Society of Portland, to Change its Name to Congregation Shaarey Tphiloh and for Other Purposes" (H. P. 1138) (L. D. 1652) (Presented by Mr. Childs of Portland)

Bill "An Act relating to Loans to Minors for Higher Education" (H.

P. 1131) (L. D. 1645) (Presented by Miss Cormier of Rumford)

Bill "An Act to Ratify and Confirm the Incorporation of Free Library Association of Kennebunk, of Kennebunk in the County of York" (H. P. 1139) (L. D. 1653) (Presented by Mr. Emmons of Kennebunk)

Bill "An Act Reimbursing Municipalities for Travel by Police Officers and Constables in Criminal Processes" (H. P. 1142) (L. D. 1655) (Presented by Mr. Pierce of Bucksport)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Planning Board for City of Lewiston" (H. P. 1135) (L. D. 1649) (Presented by Mr. Jalbert of Lewiston)

Bill "An Act Permitting Town of Madawaska to Raise Money for Nursing Home" (H. P. 1133) (L. D. 1647) (Presented by Mr. Rowe of Madawaska)

Bill "An Act to Set off Part of Town of Benedicta to Town of Sherman" (H. P. 1134) (L. D. 1648) (Presented by Mr. Storm of Sherman)

Sent up for concurrence.

Public Utilities

Bill "An Act relating to Sources of Supply and Purposes of Yarmouth Water District" (H. P. 1141) (L. D. 1638) (Presented by Mrs. Knapp of Yarmouth)

Sent up for concurrence.

State Government

Bill "An Act relating to Representation in Legislative District for Town of West Paris" (H. P. 1136) (L. D. 1650) (Presented by Mrs. Mann of Paris)

Sent up for concurrence.

Towns and Counties

Bill "An Act Creating a Five Member Superintending School Committee in the Town of Scarborough" (H. P. 1137) (L. D. 1651) (Presented by Mr. Higgins of Scarborough)

Sent up for concurrence.

Orders

On motion of Mr. Turner of Auburn, it was

ORDERED, that the use of the hall of the House be granted to the

Committee on Highways for a hearing tomorrow afternoon.

On motion of Mr. Bruce of Buxton, it was

ORDERED, that Mr. Hathaway of Columbia Falls be excused from attendance at this special session because of illness;

AND BE IT FURTHER ORDERED, that the Clerk be directed to send to Mr. Hathaway a telegram expressing the regrets of the members of the House that he is ill and their hopes for his speedy recovery.

On motion of Mr. Wade of Auburn, it was

ORDERED, that Francis Harwood of Augusta serve as Acting Page of the House during this special session.

On motion of Mr. Hatfield of Orrington, it was

ORDERED, that Mr. Blanchard of Wilton be excused from attendance during this special session because of illness.

Orders of the Day

Mr. Walker of Auburn was granted unanimous consent to address the House briefly.

Mr. WALKER: Mr. Speaker, last Thursday, January 9, it was brought to my attention that the Androscoggin County Law Library had found itself in an unfortunate situation. The Trustees did not have money enough to pay the current bills and

had not paid pending bills since September last. I checked this matter with the Library Trustees and the County Commissioners. I received a letter dated January 10 from the County Treasurer indicating that he had been authorized by the County Commissioners to say that an increase of \$750 per year in the appropriation had their unanimous approval. Funds are available and because of the increasing costs of books and services, the present appropriation is inadequate. Because of the situation that our library is currently faced with, I now request unanimous consent to introduce a bill notwithstanding the Cloture Rule to remedy the situation.

The SPEAKER: The gentleman from Auburn, Mr. Walker, requests unanimous consent to introduce a bill. The Clerk will read the title of the bill.

The CLERK: Bill "An Act Increasing Payments to Androscoggin County Law Library".

The SPEAKER: Does the Chair hear objection to the introduction of this bill? The Chair hears none; the bill is admitted.

Thereupon, the Bill was referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

On motion of Mr. Ross of Bath,

Adjourned until ten o'clock tomorrow morning.