

# MAINE STATE LEGISLATURE

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



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

LEGISLATIVE RECORD

OF THE

*Special 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

Thursday, May 8, 1958

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

Prayer by the Rev. Mr. Bruce T. Taylor of Augusta.

The journal of yesterday was read and approved.

## Paper from the Senate

From the Senate: The following Communication:

STATE OF MAINE  
SENATE CHAMBER

May 6, 1958

Honorable Harvey R. Pease  
Clerk of the House of Representatives  
98th Legislature

Sir:

The following Bills and Resolve were today refused acceptance by unanimous consent of the Senate:

Bill, "An Act relating to Contracts with Federal Government for Aid Under Maine Housing Authorities Act" (H. P. 1161)

Bill, "An Act Eliminating Waiting Period under Employment Security Law" (H. P. 1162)

Bill, "An Act relating to City of Portland Employee Retirement Benefits" (H. P. 1159)

Bill, "An Act relating to Qualifications of Deputy Commissioner of Institutional Services" (H. P. 1154)

Resolve Authorizing Ella Braley of Belfast to Sue the State of Maine (H. P. 1164)

Respectfully,

(Signed) CHESTER T. WINSLOW  
Chester T. Winslow  
Secretary of the Senate

The Communication was read.

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

Mr. JALBERT: Mr. Speaker, I move this communication be placed upon the table and when the vote is taken on my motion I move it be by roll call.

The SPEAKER: The Chair would inquire of the gentleman from Lewiston, Mr. Jalbert, whether or not his request for a roll call was on the tabling motion?

Mr. JALBERT: That is right, Mr. Speaker.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that the communication which has just been read be tabled and requests a roll call vote on the tabling motion. Will all those who favor a roll call vote please rise and remain standing until the monitors have made and returned the count.

Twenty-four members rose.

The SPEAKER: A sufficient number having risen in favor of a roll call, a roll call is ordered.

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

Mr. FULLER: Mr. Speaker, I for one would like a little explanation of just what we are voting on.

The SPEAKER: We are voting on the motion of the gentleman from Lewiston, Mr. Jalbert, that the communication from the Senate which the Clerk has read shall be tabled. If you vote "yes" when your name is called you are voting in favor of tabling this communication; if you vote "no" you are voting against tabling this communication.

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

Mr. ALLEN: Mr. Speaker, it appears that there were many of us that weren't tuned in when that communication was read. Could we have it read again?

The SPEAKER: The Chair is advised that for the Clerk to read the communication once again requires a vote of the House. Is there objection to the Clerk rereading—is it the pleasure of the House that the Clerk shall read the communication again?

(Cries of "no".)

A viva voce vote being taken, the Clerk was ordered to reread the communication.

The SPEAKER: The question before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that this communication be tabled. When your name is called if you answer "yes" you will be voting to table this communication; if you answer "no" you will be voting not to table it.

The Chair recognizes the gentleman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, I rise for a point of information. Has this been assigned? Is there a time assigned on the motion?

The SPEAKER: The Chair did not hear any time assigned on the tabling motion.

The Clerk will call the roll.

### ROLL CALL

YEA: Babineau, Beane, Augusta; Broderick, Carey, Cormier, Cote, Coyne, Curtis, Cyr, Davis, Westbrook; Denbow, Dostie, Dudley, Duquette, Edwards, Elwell, Gallant, Hendricks, Hickey, Jalbert, Johnson, Karkos, Kelly, Kinch, Letourneau, Miller, Nadeau, Prue, Rowe, Madawaska; Roy, Saunders, Smith, Portland; Tevanian, Violette, Walsh, Warren.

NAY: Allen, Andrews, Anthoine, Bean, Winterport; Besse, Beyer, Bragdon, Brewer, Brewster, Brockway, Brown, Ellsworth; Browne, Bangor; Bruce, Burnham, Call, Carter, Etna; Carville, Caswell, Childs, Christie, Cole, Crockett, Davis, Calais; Earles, Egerly, Emerson, Emery, Emmons, Ervin, Farmer, Flynn, Foss, Frazier, Frost, Fuller, Graves, Hancock, Hanson, Harrington, Harris, Hatch, Hatfield, Haughn, Heald, Hendsbee, Hilton, Hughes, Jack, Jewell, Jones, Knapp, LaCasce, Leathers, Libby, Lindsay, Mann, Mathieson, Maxwell, Morrill, Needham, Pierce, Rankin, Roberts, Rollins, Ross, Bath; Ross, Brownville; Rowe, Limerick; Shepard, Smith, Falmouth; Stanley, Stilphen, Storm, Turner, Vaughan, Wade, Walker, Walter, Wheaton, Whiting, Williams, Winchenpaw, Wood.

ABSENT: Bartlett, Blanchard, Carter, Newport; Couture, Bath; Couture, Lewiston; Day, Desmarais, Dumais, Edmunds, Hanscomb, Harriman, Hathaway, Higgins, Hoyt, Hutchinson, Jacques, Lane, Maynard, Morway, Plante, Porell, Quinn, Rich, Sanborn, Shaw, Thackeray, Webber.

Yea 36; Nay 82, Absent 28.

The SPEAKER: Thirty-six having voted in the affirmative, eighty-two having voted in the negative, with twenty-eight absentees, the motion does not prevail.

Thereupon the communication was placed on file.

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

### Orders

On motion of Mr. Carville of Eustis, it was

ORDERED, that Mr. Tarbox of Gouldsboro be excused from attendance for the remainder of this special session because of business.

On motion of Mr. Hancock of York, it was

ORDERED, that use of the hall of the House be granted to the 4th annual Youth Highway Safety Council on November 15, 1958.

### House Reports of Committees

#### Ought to Pass

##### Printed Bills

Mr. Roberts from the Committee on Agriculture reported "Ought to pass" on Bill "An Act relating to Definition of Fish under Weights and Measures Law" (H. P. 1156) (L. D. 1681)

Mr. Fuller from the Committee on Education reported same on Bill "An Act relating to Borrowing by University of Maine for Construction of Men's Dormitory and Men's Dining Hall" (H. P. 1153) (L. D. 1679)

Mr. Winchenpaw from the Committee on Labor reported same on Bill "An Act to Exclude National Guard and Reserve Pay from Wages under Employment Security Law" (H. P. 1157) (L. D. 1682)

Mr. Quinn from the Committee on Legal Affairs reported same on Resolve Authorizing Commissioner of Institutional Service to Grant Certain Easements on Land of the State Hospital in Bangor (H. P. 1155) (L. D. 1680)

Mr. Haughn from the Committee on Public Utilities reported same on Bill "An Act to Incorporate the Limerick Water District" (H. P. 1158) (L. D. 1685)

Mr. Walter from same Committee reported same on Bill "An Act relating to the Topsham Sewer District" (H. P. 1163) (L. D. 1684)

Reports were read and accepted, the Bills read twice and the Resolve

read once. Under suspension of the rules, the Bills were given their third reading, the Resolve was given its second reading, all passed to be engrossed and sent to the Senate.

#### Ought to Pass

##### with Committee Amendment

Mr. Webber from the Committee on Towns and Counties on Bill "An Act Providing Fire Protection for Argyle Township, Penobscot County" (H. P. 1160) (L. D. 1683) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 1160, L. D. 1683, Bill, "An Act Providing Fire Protection for Argyle Township, Penobscot County."

Amend said Bill by adding after the words "Argyle Township", in the Title, the words 'and Kingman Plantation'.

Further amend said Bill by inserting after the underlined words "Argyle Township" in the 13th line the underlined words 'and Kingman Plantation'.

Further amend said Bill by striking out the underlined words "and Argyle, Kingman" in the 19th line and inserting in place thereof the underlined punctuation and words ' , Argyle and Kingman '.

Committee Amendment "A" was adopted and under suspension of the rules the Bill was given its third reading, passed to be engrossed as amended and sent to the Senate.

The SPEAKER: Is there objection to taking up papers from the Senate out of order? The Chair hears none.

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

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act Correcting Certain Inconsistencies in the Probation and Parole Law" (S. P. 675) (L. D. 1678)

Came from the Senate read and accepted.

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

#### Ought to Pass

Report of the Committee on Inland Fisheries and Game reporting "Ought to Pass" on Bill "An Act Closing Certain Fishways and Waters Near Hatcheries and Feeding Stations to Fishing" (S. P. 673) (L. D. 1677)

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

In the House, the Report was read and accepted in concurrence and the Bill read twice. Under suspension of the rules, the Bill was given its third reading and passed to be engrossed in concurrence.

Thereupon, on motion of Mr. Ross of Bath,

Recessed for thirty minutes.

#### After Recess

The SPEAKER: Before proceeding with the regular agenda, the Chair would like to acknowledge the presence in the House, both in the gallery and in the rear of the Hall of the House the following groups: A group of 7th and 8th grade government students from Hallowell High School accompanied by their teacher, Mr. Batol; a group of 8th grade students from Springvale Notre Dame School accompanied by Sister Mary Blanche and Sister Mary Gilbert; four classes from Rockland Junior High School numbering 114 students accompanied by their teachers, Mrs. Carolyn Johnson, Mrs. Winnie Barbour, Mr. Henry Martin and Mrs. Helen Young, Principal; a group of 65 8th grade pupils from Freeport accompanied by their instructors Mr. Goodwin and Mrs. Webber; a group of 27 pupils from Waterford School accompanied by Charles A. Fillebrown, and the 8th grade from the Consolidated School of Kennebunkport escorted by their 8th grade teachers Mr. Beote, Mr. Mellow, and Mr. Gagne, the Principal.

On behalf of the House the Chair extends to all of you ladies and gentlemen a most hearty welcome and we are sure that you will see

an interesting day here today. This is the best possible day that you could have come. (Applause).

The Chair has also just been notified of the presence of a group of 8th grade school students from Hudson accompanied by their teacher, Mrs. Welch. The Chair repeats its welcome to this group and we are very happy to have you with us. (Applause)

The SPEAKER: The House is now proceeding under Committee Reports.

#### Divided Report Indefinitely Postponed

Majority Report of the Committee on Labor reporting "Ought not to pass" on Bill "An Act relating to Definition of Base Period under Employment Security Law" (H. P. 1151) (L. D. 1676)

Report was signed by the following members:

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

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

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

Report was signed by the following members:

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

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

Report was read.

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

Mr. CHILDS: Mr. Speaker, I move that both committee reports and all their accompanying papers be indefinitely postponed, and when the vote is taken I request that it be taken by the yeas and nays.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves

that both committee reports be indefinitely postponed and requests a roll call.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: These measures were discussed yesterday before the Labor Committee in a five hour hearing. This committee meeting was one of the best attended by legislators than any that I have ever been to myself and I believe that many of you know the statistical data. I will not go into details at this time and lead you through a maze of these statistics. Any of you who are interested in them, they have been prepared in pamphlet form and presented on your desks. This is not a plea for industry nor is it a plea for labor, but I believe there are several basic points which should be mentioned.

As a member of the Labor Committee I have supported and spoken for logical, progressive increases under unemployment compensation at both of the last two sessions of this Legislature. Just last year the Legislature granted increased benefits, the dollar value of which exceeded by two and one-half times those suggested in this proposed bill. I do not feel, nevertheless, that drastic changes should be made at a special session or are warranted under the guise of a cure for recessionary trends. I fully recognize the fact that certain areas have definite unemployment problems at the present time. Although in some of these this is no worse now than it has been, in fact, several times during the past eight years.

But I do feel that certain supplemental assistance is undoubtedly warranted, but I do not feel that the approach as outlined in this bill is economically wise and I believe that it would take a chance of jeopardizing the entire present program as a temporary expedient for relief. The Governor in his address to us mentioned the intent of the Legislature in setting up the program when he read the statement of policy contained therein. May I carry this one step further and read what the originators of the whole national program had to say at that

time. "Unemployment insurance cannot give complete and unworthy compensation to all who are unemployed. Any attempt to make it do so confuses unemployment insurance with relief, which it is designed to replace in a large part. It can give compensation only for a limited period and for a percentage of wage laws."

In short, this is an insurance program whereby the employers throughout the state pay a premium into a fund, to give a measure of security for workers during periods of temporary unemployment. These premiums are based on experienced ratings. At the start they were all the same at 2.7 per cent, because there was insufficient actuarial data to make any other basis. Over the years there has been a formula derived whereby these rates vary, but they are still sufficient to maintain an equitable fund. This Legislature is now asked to make a radical change in this approach. Compensation is based, as I said, on these premiums. This should not be considered, as some will say, that you cannot confuse humane aspects with logical business trends. I certainly agree that we should consider these humane factors. But I must point out the fact that in doing so, as this bill implies, there is the possibility of hurting a great many for the benefit of a few.

It was mentioned yesterday about the huge fund that has been set up of forty million dollars. That is a tremendous amount of money, but it has been built up over the years from these nominal premiums from all of the payrolls in the State of Maine. This is very tempting, to have a fund like this to tap in such a situation. But without care, even a fund as large as this could soon be dissipated. Within the last few months the fund has already dropped from forty-five to forty millions of dollars, and under the present program with which we are working and the estimated economic trends which we face they approximate that this fund will drop to thirty-four million dollars at the end of this current year. For every five million dollars that this fund drops under thirty-five million dollars the

rate automatically increases. If the fund should reach twenty million dollars or if for the first six months of any calendar year the benefits should exceed four and one-half per cent of the payrolls, these would be increased to the maximum. We might well be legislating a cure that is worse than the cause.

The Executive Branch of our government requested advice of the Employment Security Advisory Council as to whether or not this type of legislation should be introduced as a corrective measure for the present economic situation. This advice was nine to three against such a program. In my opinion, this advice was perfectly sound. This particular approach to our employment problem could hardly be considered a valid subject for this special session of the legislature.

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

Mr. LETOURNEAU: Mr. Speaker and Members of the House: As the sponsor of the bill I feel I should rise and state my position. While I am unable to perform a capable job like my esteemed colleague from Bath, Mr. Ross, I do want to say that it was my understanding that we came here primarily or were called here for special session to do something about this recession or unemployment compensation. I am going to feel awfully silly going back home spending all week listening to this and I go back home and say well the bill was indefinitely postponed and thrown out. I think there is a need for something here and I think we should come up with something and not just return home and not do anything for these people.

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

Mr. JALBERT: Mr. Speaker, I would like to ask a question of the gentleman from Bath, Mr. Ross, if I may?

The SPEAKER: The gentleman may state his question.

Mr. JALBERT: As I understood the vote of the Advisory Council was nine to three. Could the Representative from Bath, Mr. Ross, tell us the make-up of this committee?

Who voted for and who voted against and what they represented?

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

Mr. ROSS: The Advisory Council to the Employment Security Commission is made up of three members from industry, three members from labor and three members at large. The three members from industry and the three members at large voted against, the three members from labor voted for.

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

Mr. JALBERT: On that basis then would it be a fact, again a question, that the vote was six to three and not nine to three?

The SPEAKER: The Chair understands the gentleman's question is answered.

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

Mr. WALSH: Mr. Speaker, first of all I would like to make it clear to all the members of the House, the ladies and gentlemen of the House, that the remarks I wish to make are being made to you as a Representative from the Town of Brunswick and a Representative of the people of Maine and not as a candidate for any office.

Next, it was definitely proven that neither here in the State of Maine nor those in both branches of Congress of the United States or the best brains so far that we have been able to muster together in the entire United States have been able to solve the problem — the complex problem of rise and fall of business cycles. If we had been able to, there would be no need of anything like unemployment insurance. Any argument that is used against unemployment insurance stems right back to one's basic philosophy, do I believe in it or do I not believe in it, just as there is a source to any one of our rivers, and when we speak of getting rid of pollution in a river, you can't start down at the lower end of the river, you must start at the upper end of the river. This is all a part of the business cycles that the world has known

since bartering in an exchange store. These measures, not only this one, but the other one, are a part of a long range viewpoint and measure and plan of improving unemployment insurance. And there is no doubt in my mind in any way whatsoever that some standards should be set on the Federal level so that there will be greater equality among the forty-eight states as a basis to begin with. But be that as it may, it is said in the arguments that we should not ask our state and our state industries and our businesses to underwrite costs of conditions which they and they alone may not have caused. So we should sit back and do nothing. Wait and see. Wait and see if business doesn't pick up. Wait and see what Uncle Sam does. Who is Uncle Sam if it isn't we the people, and how will we get anything done here in the State of Maine or the United States unless the people speak up for it? You don't get it done. Wait and see! If we adopt this attitude of do nothing, we are ignoring a major problem and we are completely abandoning our direct responsibilities to the people of this State, and as such to a portion of the people of the Country.

The average worker finds his unemployment check to be far less than his normal pay check, and it is this same pay check whether it is when he is employed or whether it is when he is unemployed that your merchants depend upon. When a person can't pay his bills how does the merchant pay his bills? When a person doesn't have the bare means of shelter and just barely enough food to exist on, there is no money spent, and if there is no money spent, what are the merchants going to do? Where is the money of the unemployment insurance program spent but in your neighborhood stores and in your small businesses? If the merchants can't pay their bills, what happens? You know what happens as well as I do, and the small businesses can't. There is more cut-backs, more lay-offs, and the inevitable shutdowns of your plants and your mills that will follow.

It has just been stated, factually so, that when they exceed four and one-half per cent of the fund the rate automatically goes to the max-



imum. It might be well for all of you to realize that if we continue at the present rate of recession and I don't like the explanation that was made of the difference between recession and depression. Recession is when it hits somebody else and depression is when it hits you. Recession is when your neighbor loses a job, depression is when you lose a job.

To get back to the four and one-half per cent. If this recession or depression whatever you want to call it, continues, it might well be that we will go beyond our four and one-half per cent in our first six months payment as it is and have to go to the maximum. Just remember that before you make your decision.

Our concern should not be solely over the costs of the standards contained in these unemployment proposals, but it should be on the terms of a greater cost of what lower standards of living mean to the economy of the state; what lower purchasing power means to the economy of the state; what relief rolls and the community morale and security mean to the economy of the state. I want to highly agree with the gentleman from Bath, Mr. Ross, that we have taken steps to improve this situation. We have taken fine constructive steps, but, and he has given you the percentage that we have increased these payments, but, again, have these increased in anyways near to the proportion of the cost of living? No! No way whatsoever.

So again I will repeat, that when we argue against such measures to try to keep up with the standard of living that we all like to brag about that we have and enjoy in the United States, and when you vote against measures that attempt to keep the standard of living approximately on the rise, when you vote for measures which won't be beneficial to the economy of your state and the economy of your country, I can't understand the basic philosophy of an individual who is not worried. To help those who have done everything in the world they can to try to help themselves and through no fault of their own find themselves in such a position, I

can't understand the philosophy of the person who is unwilling to do something to try to help them, for life to the unemployed is just as valuable as what it is to you or what it is to me.

I certainly hope that the motion of the gentleman from Portland, Mr. Childs, does not prevail, but I am certainly in agreement that when the vote is taken that it should be taken by the yeas and nays.

The SPEAKER: Is the House ready for the question?

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

Mr. ROWE: Mr. Speaker and Members of the House: I am thinking of a song, the song goes "bewitched and bewildered". I am bewildered, I am not bewitched, I am unhappy. I am bewildered possibly if for no other reason after listening to the hearing yesterday afternoon, members of industry arguing against these bills as we have been sitting here. If I were a member representing industry I would not want—I would find it difficult to return and to face my stockholders and to tell them that I worked against measures of a kind of social legislation which will put money into the hands of people which will increase our profits, well-being of the company and so on. There are many, many, many more reasons I am bewildered too, and maybe I can sum it all up in a brief story. I have told this story to two committees, I think it is a good one and to the point if those committee members will kindly forbear hearing the story again.

I am a teacher, a teacher of social studies, and one of the courses that I handle is called World History. We define civilization as a continuous and cumulative thing at the beginning of the year. We try to use a little theory and to pull all the different periods of history together. If we agree with the theory that history of man follows a continuous unbroken line and that it has many, many practical implications for us as lawmakers, that is it means this. It means that what any community learns at any given time is always passed on and is always received by the people who

follow it. It means that what a community knows today, that its level of technology, that its level of know-how, that its level of solving problems, is always received by the next generation. And we spent three weeks in discussing this idea, and then we proceed to the different periods of history. And I was waiting very eagerly as a teacher to see as we were going into this period between the seventh and ninth century AD, to see if one of my students would catch the practical implication, and the day came and it was one of my many happy days in teaching.

One of my students raised his hand and he said: "Mr. Rowe, didn't we agree at the beginning of the year that history is this and that what one community knows how to do is always passed on to another community? It never forgets?" and I said: "Yes, that is true" and he said: "Then if it is true, why is it that between these two centuries, the centuries we are studying now, the seventh and the ninth century, why is it that these people they didn't build the highways and they didn't build the aqueducts and the sanitation systems that the Romans and the Greeks knew how to build?" He said: "If they knew how to build these things why didn't they do them?" And I said I could only answer the question in this way here, I said: "George, that is true and this is the way I will answer it, today, why is it we don't do the things we know how to do?"

Now we are here convened at a special session. We have been called here to solve problems and these particular problems. The problems remain with us if we do not solve them. We are called here to solve them and not dismiss them. We have the tools at our disposal; we have identified the problem, we have identified the tools that we need. If it is misleading I think to refuse the adoption of these tools in this way here, to say the tools will not resolve the recession, they are not designed to resolve the recession that we are in; they are designed to help these people who are unemployed, to help them to

feed their families, clothe their children and to keep their roofs intact and to do these things. I think that any one of us, any member of this body here who for one reason there will vote against these bills we are considering because they feel they are not designed to solve the recession, no, they are not designed to solve the problem of recession, but they do meet adequately the problems that we have that the unemployed people have, more adequately than the tools we are presently using to solve these problems.

I have listened to many, many, many arguments there yesterday afternoon. To sum them up I think some were very spurious. I think if we put the historical spotlight on some of the arguments, intellectually they are shameful. One man approached explaining his case, he said if he passed a dollar out of his premiums why should a businessman be penalized, that if we take a dollar out of his pocket it is a dollar lost to him, and these are not his obligations so on and so forth to pick up. That kind of economic thinking for the record is Marxism and you can assume making those assumptions that are really in the business vernacular of people and wrongfully so, it is why Carl Marx got into the great difficulty on his surplus value theory. If we use that thinking in considering whether these bills have any merits it is intellectual suicide. In listening to the other arguments that followed that we were putting people on the dole and that it was destroying their incentive to work. If we were to put the historical spotlight on that, I think it is intellectually shameful to take that stand and it doesn't stand up with the data as we know it today. Because to assume that by increasing unemployment compensation that we are going to destroy a man's incentive to work, that assumes something very basic about the human nature of man, and it assumes this about him, and it began with Adam Smith who was articulated in classical economic literature when he said that man is basically an economic animal continually eating at the pig trough and only is concerned about his self-interest.

It is the kind of thing—it is a heathenistic philosophy. It assumes that man will only work and endure as much pain as he will receive in anticipated pleasure, and that therefore using this approach analyzing the value of these particular types of legislation that we are considering, it means this here, that if we pay these people too much we will destroy their incentive to work. Not only did Adam Smith use and had to use this basic assumption, it is still used in the literature of the orthodox economist. It is the kind of thing that we daily go about doing our thinking. It is the kind of thing that will not allow us in any way to get at—to come to any way with working and solving these problems. Not only did Adam Smith assume this that man was basically selfish and economic animal, you could destroy his incentive to work, but again Carl Marx as a classical economist also had to make this assumption. He makes the assumption if I can just point out by example, why the revolution must come, he says, because man his condition will become so poor and that he is so basically self-interested in himself that he must finally revolt and throw off the shackles. This particular concept that is used in evaluating this kind of legislation is the kind of thing that has got us in historically today are times—it has brought us into difficulties, we are unable to find areas of agreement, they are difficult to find. Those of us who are using the approach here in evaluating these bills I think you can't possibly—it is impossible to—we disagree with the whole basic philosophy of the unemployment compensation program when we use that approach.

Summing it up if I may, we are here to solve problems. We are not here to dismiss them. I will find it very difficult to go home to my area, to my town, I will find it difficult for instance to talk to my freshman Civics class in which we have nine registered republicans and six registered democrats, so you see it is all fair play, but there is something about children, I think it is out of the mouths of babes shall come wisdom. I have watched these

students during the year. They have studied problems in government, problems in the community, and I am completely amazed at their impartial approach. Critical and inquiring minds, minds that will get down to the detail and evaluation, but we don't—they haven't been somehow, and I include myself in these remarks, been corrupted or haven't learned these mental blocks and ideas that are going to disallow them from reaching solutions to problem solving. (Applause)

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

Mrs. HENDRICKS: Mr. Speaker, I believe that this session is going to cost the State probably about \$40,000, somewhere around that vicinity, and I think that is quite a high price to pay only to indefinitely postpone one of the problems that we came down here to work out, so I hope the motion to indefinitely postpone does not prevail.

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

Mr. BROWNE: Mr. Speaker and Members of the House: I shall not attempt to define my philosophy. There will be others probably who will do that for me. Whereas I am a lame duck member I feel that you will bear with me possibly in permitting me this one last opportunity to speak to this honorable body. I shall not indulge in verbal calisthenics.

It certainly is unfortunate, and I think we all agree with it, that the fact that Maine as well as the rest of the nation is at this time experiencing a period of recession. It is unfortunate that certain textile industries in the southern portions of our state particularly have found it necessary or advisable to either move outside our state or to close their doors entirely. Now this has not been a creature of the recession period. The problem of the textile industries is the result of unfavorable legislation on the federal level. But were it not for the problems of the textile industries and the resulting unemployment resulting therefrom, our problem that we are facing today because of the large numbers of unemployment

would be considerably minimized. It would be ideal, I suspect, if there were available to us a never-ending source of wealth from which we could tap from time to time and divide up amongst us, but unfortunately unless we create such a fund or such a source by contribution or taxation or by sales, such a phenomenon appears not to be in the offing.

From time to time, however, we recognize certain social responsibilities. When a problem occurs with some frequency our moral and ethical standards may require that we take some action to alleviate or at least limit its effect. The employer's security law is such an incentive, the thought being that when one finds himself temporarily out of work through no fault of his own, there should be aid available to him to help him over this period of adjustment. It is not meant to be a substitute for full time employment, it is not a welfare program, it is not a form of social security, and it is not based upon the theory that one group owes a legal obligation to another. And if it is not based on a legal obligation, how can it be argued that because of the merit system that was introduced in recognition of the employers who maintain an excellent employment record, that they are permitted to pay on a smaller scale or a smaller minimum than would otherwise might be necessary? How can it be argued that they have been permitted as it was argued in the hearing yesterday, that the employers have saved some millions of dollars?

This law was designed for a particular purpose, to take care of a temporary situation. The job for which it was designed it is doing. If you attempt to make this law apply as a recession measure, you are only postponing the time when you must face the real issue which is the creation of jobs to resolve the idle labor force. Let us be realistic, if we need additional welfare legislation, it is the problem of the general fund and not of a particular class.

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

Mr. MAYNARD: Mr. Speaker, first of all I would like to go on

record as favoring the Jalbert motion with regard to the communication. I was not here to vote yeap upon that. I want to be recorded as such.

Secondly, I would like to say that some of the pious protests of the opposition make me think a bit of the old gentleman who in his whole life had never taken a bath, and when queried about it, he said he had never had any particular objection to it, in fact he had thought about it considerably, but he just never had been able to make up his mind whether to begin with his feet or his hands.

I feel that we have come down here to try to do something to help people, and if we can't offer that hope, then we will have gone home, we will have spent the \$40,000 approximately for this special session, and will have gone on record as a do-nothing group. I do not choose to be recorded as one of the do-nothings, and that is why I shall certainly support this legislation.

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

Mr. JALBERT: Mr. Speaker, one here could be well confused and amazed and possibly disturbed. Before we went into session, both parties held caucuses. At the conclusion of our caucus our able leader from Brunswick, Representative Walsh, told us that the good opposition had stated in effect that they would not object to bills that were germane to this problem being accepted. I felt at the time that when the cloture order went in that I almost was on my feet to table it pending the introduction of this legislation. Some of this legislation was refused entrance. Now whether it was then after consulting with one or two, my understanding that either of these amendments would be held germane if presented before the Committee and would also have an opportunity to be presented on the floor of the House. I favor those amendments and I would like to be recorded as such. The motion to indefinitely postpone precludes introduction of those amendments.

I recall once before having called legislation that was important, not being too hasty on it I mean, when

at times I have been on my feet on three different occasions trying to stop a debate on a measly lobster bill that didn't amount to anything anyway. Now there are a few questions that have been left unanswered, and one major question was that statement well-timed issued by a representative of the Associated Industries stating in effect that there were ten thousand jobs that would be available within the next sixty days. I would hope for the sake of Maine, where we have forty thousand some odd out of work, that it would double that figure and triple it. I would hope that a good percentage of it would come into my area where we have seven thousand people who are drawing unemployment checks. That question has not been answered. I asked that representative to give me a breakdown. He told me that he was asked to make up a statement, that he did it rather hurriedly and he didn't have an opportunity to break it down. Yet we were delivered a three page letter by the Associated Industries. I know what the breakdown is. I don't have it with me, but if you want to recess for a few minutes I will get hold of it and break it down and it will prove to be a horrible picture. That is why it wasn't given to us on a breakdown on our desks.

Let us remember also that in some of our smaller communities—forget about the total, if these people are not helped they will wind up some of them on welfare, undeservedly so. A cost of living adjustment means just that. What do we have surpluses for, or unexpended balances? We have them to lean on them when we can. There is talk now of amending the highway bill, to take \$600,000 out of surplus, and some of the people who want to do it want to vote against tapping a forty million dollar surplus for only \$378,000. To do what? To give relief to people who want to work. And I defy any member of this House to bring to me an individual, an American citizen, who wants to draw an unemployment check before he wants to do a day's work. There is no such a being in my community, in this

State or in this country, or else he wouldn't be an American.

Insofar as my action this morning is concerned, I was told by my very dear friend, Jim Stanley of Bangor, "Louie, you are playing politics". My answer to that is very obvious: "What am I in, a cribbage game?" Of course I'm playing politics, good politics, for the people. If I am accused of being a politician, I'll plead guilty to it. I am a politician and I am proud of it, good or bad.

I notice here that we refused entrance to a bill called "An Act relating to Contracts with Federal Government for Aid Under Maine Housing Authorities Act", and "An Act Eliminating Waiting Period under Employment Security Law" and - - -

The SPEAKER: The Chair must request the gentleman to confine his remarks to the question now before the House. If the gentleman is doing that, the Chair does not understand so.

Mr. JALBERT: It is my understanding then if I make a move to the effect that I am opposed to the indefinite postponement of the bill that I can speak on the subject I was speaking on now, is that correct, Mr. Speaker?

The SPEAKER: You may speak on any subject that has any bearing or germaneness to the question before the House, yes.

Mr. JALBERT: Well, is it my understanding that talking on a measure that would eliminate the waiting period under employment security would be germane to L. D. 1676?

The SPEAKER: The Chair must rule that that particular item which has been disposed of is not germane to the question that is now before the House. The Chair is not trying to limit the gentleman's debate on the question that is before the House.

Mr. JALBERT: Well it isn't my purpose to take issue with you, Mr. Speaker, so I will refrain from explaining my action although it is certainly very obvious. I will say in closing that I don't think debate on such an important issue as this should be limited. I think any member should rise and express his

opinion and I know that is his privilege as granted under our laws. I don't think either that any of my remarks could change one vote possibly one way or another, but I leave this one thought with you. This is not a dole, it is slightly tapping a big kitty, and people that work in a mill and in a shoeshop do not deserve for the sake of a few dollars to be slapped on welfare, and believe me that is what's going to happen from Kittery to Fort Kent. Why some of these people can't even pay their insurances and after the thirty day period those insurances are lapsed and the amount of them now is growing appreciably day by day. It is not also my intention to get on my knees and beg, but I ask you to reconsider within yourselves and help these people who really need help now.

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

Mr. CHILDS: Mr. Speaker, apparently I have a different impression of how legislation should be passed. There are those who state that possibly this is not the answer to the recession, but what difference does it make, pass it anyway. In my opinion, if we do something like that I would believe that we were very poor legislators. If this is not the answer to the question, to the problem, and I believe it is not, then I believe we should not pass it. The gentleman from Portland, my very fine colleague, Mr. Maynard, stated that if this legislation is not passed that we have thrown \$40,000 away by coming here this special session. Let me say this, that this body did not call the special session, so if \$40,000 is thrown away, the blame belongs elsewhere.

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

Mr. DESMARAIS: Mr. Speaker and Members of the House: I will state one reason why I would like to see this bill passed. I have an amendment I would like to present to this bill if it passes, and the procedures that I have gone through since I have been here trying to present this bill, or the amendment, which I think is a good bill, makes me feel like a ball player. He has

his turn to go up to the bat and all at once the red-faced cigar-smoking boss in the head office says: "Hey Bill, you come up here.", the Manager, he says: "When this guy goes up to bat he has two strikes on him" and then he says: "You give me the baseball to make sure that he doesn't strike at that baseball." So I would like to see this measure go through and I hope that the indefinite postponement does not prevail.

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

Mr. CASWELL: Mr. Speaker, let there be no doubt in the minds of anyone as to which side I am on. I am definitely opposed to this measure, the passage of it, but for a slightly different reason than anything that has been stressed by the proponents of the measure. It is my opinion that while this might result in a little temporary benefit to the employees who are now unemployed, in the long run it will do them more damage than good. If it is passed as the Governor told us day before yesterday, it will require well up to a million dollars additional which money must come from somewhere.

Now the greater part of our adult population is made up of employers and employees. We are inclined to think or want to think of employers of industry as being very few individuals, employees as being the greater part of that segment, but when we recall that our large industries and many small ones are composed of small stockholders, many of them who may be and are in some cases, really employers, this extra money—the difference in numbers doesn't seem so great. The employers are more nearly in line with the employees.

Now this measure which is going to cost as the Governor has said well up to a million dollars, is necessarily more or less of an inflationary order. It is unfortunate that so many devices through the last few years that the state and national governments have used to promote business have been of that nature, but it is so. Now if this measure here—if anything in this measure might tend to a greater

production of either goods or services, there might be a possibility of a lowering of prices which would be a great step toward ending the recession, but there is no possibility of that, and not only that but it is probable that some of these industries who are now just keeping their heads above water would if this additional raise in the—up toward the maximum 2.7, were applied to them that they would either fold up or move to some other place, and for that reason, and that reason mainly, the fact that I feel that this is simply a measure which takes out from one pocket and puts into another, is not going to be in the long run any benefit to the unemployed. And that is the only possible advantage of taking money out of one pocket and putting it into the other, the only possible result is the wearing out of our pockets a little faster and nobody is going to benefit by that other than the garment industry and so far as I know, most of the garment workers are beyond the jurisdiction of this body.

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

Mr. MILLER: Mr. Speaker, Ladies and Gentlemen of the House: Yesterday I listened with much interest at the debate between the industrial lobbyists and the lobbyists representing the working class of people in the State of Maine. I was quite upset at many of the remarks that were made on the part of the lobbyists for the Associated Industries and various other organizations in this State representing industry.

A few weeks ago I attended a meeting at the Portland Country Club composed of the various insurance agents in Portland and Cumberland County, and at that meeting there was a speaker there representing the Bath Iron Works Safety Department from Bath, Maine, and if I ever heard a tirade against the members of the Maine State Legislature being subjected to a strong lobby from labor, that was it. I tried to get hold of this gentleman after the meeting but lo and behold he had disappeared. I wanted to get a copy of his speech so

I could have it here for this session of the Legislature.

As a member of the Maine State Legislature I want to tell each and every member of this Legislature and the people in attendance here today that as a member of this body never have I been lobbied by labor on behalf of either one of these bills. Labor came here yesterday and they made what I consider one of the greatest and most dignified approaches to this problem that has ever come before this legislative body. Industry, the industrial lobbyists have continually been keeping the mailman busy, especially in the City of Portland. I have received many pieces of literature from the various lobbyists representing so-called industry in Maine.

I want to put myself on record today and before I go on record I want to make this one statement in regard to another matter that came up today. I am glad that my colleague from Portland, Representative Childs, made the statement that the Governor called this session. It shows to me, and it should show to every member of this legislature, why so many people elected him to office two years ago. The reason he received these votes was because the people knew he was sincere and a responsible leader for our state. He called this session because there were problems facing the unemployed people in the State of Maine. There is a recession, some call it a mild recession, but believe me it is pretty close to a depression, and it is up to us as a legislative body to debate this issue squarely and fairly on the floor of this House, and I think that everybody should have the opportunity to get up on the floor of this House and express his opinion. And I think it would be very much of an unfair act on the part of the Maine State Legislature to let the motion of the gentleman from Portland, Mr. Childs, be carried to indefinitely postpone, and I want to go on record as opposing the indefinite postponement of this bill.

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

Mr. LANE: Mr. Speaker and Members of the House: I would like to know how many members

in the House know what caused the revolution in Russia, what caused the revolution in China, and what caused the revolutions all over the world. We know one thing, unemployment and starvation. Here we are assembled here and we know we have a recession, some people call it a recession. We do have a depression. We have a depression in some parts of Maine and we have a depression in Waterville. I know for a fact that people come over to our slaughter house begging for a piece of meat; people come over and they tell me they haven't had a piece of meat for months. Of course we know under the republican administration you have to pay almost 99 cents for a pound of hamburger, and today we are going back to tell the people and the party we can't do a thing about it. We are awful sorry, but you people have got to starve for the next few weeks, for the next few months until we get somebody—I shouldn't use this as a political speech—until we get somebody in Washington who will do something about it.

Here we are. How many people do believe in the Bible? The Bible says in the Ten Commandments and then Christianity says "Help thy neighbor." Even if we didn't have any laws or anything, I know most of you members who are sitting right here you all had a good breakfast and you are going to have a good dinner, but our job is as people, as Americans, as people that live in a democracy, think of the people who are starving today. Think of the people when they have dinner with five or six children and they have only three or four potatoes and they can't even buy a bottle of milk. Forget about meat. And I think that you republicans of this legislature should forget about yourselves, your principles which you have. Every man should, you know, be able to make a living for himself. I believe in that too, but some people are unfortunate and they are without work and they need help and I think it is up to us to do something about it.

The SPEAKER: Is the House ready for the question?

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

Mr. COUTURE: Mr. Speaker and Members of the House: I too have

listened to this discussion on the opposition of any legislatures that is presented over here to this unemployment business. I am meeting people daily now that in the past have left our State to secure employment to be able to support their families. They are visiting us back here in the State of Maine now because they are forced by unemployment in the state where they were working.

It was brought out here that it is bad legislation to go into the unemployment. If I am in order now may I bring out this that I have talked in the past and even this morning before I came up to this legislative session today, talking to two of the men that were born in the State of Maine and left here at the age of thirty-four years of age to be employed in Connecticut. Unfortunately in Connecticut they were laid off also because the nation was struck with unemployment, not just the State of Maine, but all over the United States. They are now drawing their unemployment under the Connecticut law.

It was repeated yesterday in the hearings that the State of Maine is the highest paid under the unemployment. I was talking to one this morning that has four children who came back to Maine and he is now receiving higher compensation than we do pay in Maine, just for himself plus an attachment under the Connecticut unemployment law on his dependency allowance that he receives. He is now receiving in the vicinity of fifty dollars a week. He is now reporting in the same office in the City of Lewiston where other people are also unemployed and reporting in the same office, sitting side by side in the same office, repeating his benefit under the unemployment in Connecticut to one of these unfortunate unemployed in the State of Maine here that receive unemployment under the State of Maine laws. Pointed out to him that he was now receiving some twenty and over another fellow next to him receiving twenty-seven dollars more a week than he was entitled in the State of Maine.

Why is it in the State of Maine it is bad legislation, having legislation



under the unemployment law here? Why is it? I would like to ask a question of any member of the House, anyone, if it is bad legislation for the State of Maine under the unemployment law, how come it is good legislation in other parts of the United States? Their protection under the unemployment law, I read it last night and continued reading it until 3:15 this morning when I went to bed, I found out that their laws are far ahead of ours, very far ahead. I have read also unemployment laws from some other states in the past. I made it a point to have the laws of forty-six states in my house and was reading them one after the other between sessions.

And when these lobbyists for the employers came here in a public hearing saying how much they have to pay through unemployment for these employees compared with what they have to pay in other states, I don't think they were telling the truth. They brought out some figures of what they did pay in previous years, but they didn't come out and tell you that they were entitled to deduct it from their income tax. They didn't tell you the amount that they were authorized to pay outright after they had their deductions out of the income tax, did they? No! They gave you what they were paying to it only, but not what they were entitled to. Naturally they won't tell you that.

I stayed over to this hearing last night until they really adjourned. I heard some of the employers say that the situation of unemployment is now already solved. The one that made that statement, it so happens they get work for approximately three to four months in the summer. Naturally he will have work. He is on the road. What kind of road construction does this contractor do in the wintertime? What kind of wages does he pay on these highways? Is the revenue to these employees or the wages that he pays on these highway projects, is that enough for any man to turn around after he is laid off after four and one-half to five months of work out of twelve to be able to support his family for the remainder of the year? I'll say no. One rainy day a

week under receiving wages is enough to weaken him down, possibly he eats two or three meals during that week.

I know the wages that he is paying the man that knows that this unemployment has started, it runs around \$1.00, \$1.10 and \$1.25 per hour. All of you know how far a man can go on \$1.25 an hour with a family of two or three at home. Can he afford to lose a day's work? Can he afford to work only four and one-half months a year? I will answer that. No. And I certainly feel now the way that I felt in the past as a member of this House, legislatures through the unemployment benefits which it was given to our working people in the state under an insurance at the time they are unemployed, and they have been denied what they should have had according to other states in the United States and now we are facing it here and saying it is not good policy.

The employers have everything they want under any session here when practically all the people were working. They came in here. They had legislation passed in their favor. They certainly took it and now we are only asking to give back to the people what they have passed on in past legislatures here so they will not create the funds under the unemployment so high, that the reserve will be good enough to take care of these unemployed as it so happens. Won't the employers and the lobbyists realize now that there is a need of it? Won't they return a little mite of what they have saved? No. When it comes time to help these people that have helped themselves in saving themselves money by action of the legislature here in the past, they just don't want to release it. They got it and they want to keep it. I want to go on record here to be definitely opposed to the indefinite postponement of this bill.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Biddeford, Mr. Nadeau.

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

The SPEAKER: The gentleman from Biddeford, Mr. Nadeau, has moved the previous question.

Mr. WALSH: Mr. Speaker?

The SPEAKER: The Chair must advise the gentleman that once the previous question has been moved, there is no debate in order.

Mr. WALSH: I do not choose to debate the question, Mr. Speaker.

The SPEAKER: The Chair must put the question before any interruptions are permissible. In order for the Chair to entertain the motion for the previous question, the Chair must have the approval of one-third of the members of the House. Will all those who favor 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 risen, the Chair is authorized to entertain the motion for the previous question.

The question now before the House is: Shall the main question be put now? This question is debatable with debate limited to five minutes for any member who wishes to speak.

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

Mr. WALSH: Mr. Speaker and Ladies and Gentlemen of the House: All I want to do is clarify the records since all of this goes on the record, to attempt to keep the records straight if possible—

The SPEAKER: The Chair must advise the gentleman that he may speak only to the question of whether or not debate should cease at this time and not to the main question.

Mr. WALSH: I can make my remarks at a later point, Mr. Speaker, without any difficulty and so have them on the record.

The SPEAKER: The question before the House is: Shall the main question be put now? Will all those in favor of the Chair putting the main question now please say aye; those opposed, no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The main question before the House now is the motion of the gentleman from Portland, Mr. Childs, that with regard to Bill "An Act relating to Definition of Base Period under Employment Security Law", House Paper 1151, Legislative Document 1676, both Committee reports be indefinitely

postponed. The gentleman has requested a roll call vote.

For the Chair to order a roll call vote it must have the expression of desire on the part of one-fifth of the members present. Will those who favor a roll call vote please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-fifth having risen, a roll call is ordered.

The Chair will state the question on which you are voting. The question is the motion of the gentleman from Portland, Mr. Childs, that both reports be indefinitely postponed. If you vote "yes" when your name is called you will be voting for indefinite postponement of both reports. If you vote "no" you will be voting against indefinite postponement.

The Clerk will call the roll.

#### ROLL CALL

YEA: Allen, Bartlett, Bean, Winterport; Besse, Beyer, Bragdon, Brewer, Brewster, Brockway, Brown, Ellsworth; Browne, Bangor; Bruce, Burnham, Call, Carter, Etna; Carter, Newport; Carville, Caswell, Childs, Christie, Cole, Crockett, Davis, Calais; Denbow, Earles, Edgerly, Emerson, Emery, Emmons, Ervin, Farmer, Flynn, Foss, Frazier, Frost, Fuller, Graves, Hancock, Hanscomb, Hanson, Harrington, Harris, Hatch, Hatfield, Haughn, Heald, Higgins, Hughes, Hutchinson, Jack, Jewell, Jones, Knapp, LaCase, Leathers, Libby, Lindsay, Mann, Mathieson, Maxwell, Needham, Pierce, Quinn, Rankin, Rich, Roberts, Rollins, Ross, Bath; Ross, Brownville; Rowe, Limerick; Sanborn, Shaw, Shepard, Smith, Falmouth; Stanley, Stilphen, Storm, Turner, Vaughan, Wade, Walker, Walter, Webber, Wheaton, Whiting, Williams, Winchenpaw, Wood.

NAY: Andrews, Babineau, Beane, Augusta; Broderick, Carey, Cormier, Cote, Couture, Bath; Couture, Lewiston; Coyne, Cyr, Davis, Westbrook; Desmarais, Dostie, Dumais, Duquette, Edwards, Elwell, Gallant, Hendricks, Hendsbee, Hickey, Hilton, Jacques, Jalbert, Johnson, Karkos, Kelly, Kinch, Lane Letourneau, Maynard, Miller, Morway, Nadeau,

Plante, Prue, Rowe, Madawaska; Roy, Saunders, Smith, Portland; Tevanian, Violette, Walsh, Warren.

**ABSENT:** Anthoine, Blanchard, Curtis, Day, Dudley, Edmunds, Hariman, Hathaway, Hoyt, Morrill, Porell, Tarbox, Thackeray.

Yea 88; Nay 45; Absent 13.

The **SPEAKER:** Eighty-eight having voted in the affirmative, forty-five in the negative, with thirteen absentees, the motion to indefinitely postpone does prevail.

The **SPEAKER:** At this time the Chair recognizes the presence in the gallery of the House of a group of sixty-five eighth grade students from Freeport accompanied by their instructors, Mr. Goodwin and Mrs. Webber, and a group of eighth grade pupils from St. John's School of Winslow accompanied by their teacher Mother Marie Florence and their principal Mother Marie Celeste. On behalf of the House the Chair extends to all of you a very sincere welcome and we hope you will enjoy your day here with us.

(Applause)

Mr. Walsh of Brunswick was granted unanimous consent to address the House.

**Mr. WALSH:** Mr. Speaker and Ladies and Gentlemen of the House: There has reference been made that there was no need of this special session and it certainly should be included on the record that it was by unanimous agreement of all the Legislative leaders in the Governor's office that the special session was absolutely necessary as a result of the March referendum on the highway issue. Many other bills were dropped in the hopper and considered as a result of your vote, but I believe that we should keep the record straight instead of reference being made that there was no necessity for this session.

On motion of Mr. Ross of Bath, all matters acted upon this morning were sent forthwith to the Senate.

On motion of Mr. Ross of Bath, Recessed until two o'clock in the afternoon.

**After Recess**

2:00 P.M.

The House was called to order by the Speaker.

The **SPEAKER:** The House is proceeding under Committee Reports.

**Divided Report**

**Indefinitely Postponed**

Majority Report of the Committee on Labor reporting "Ought not to pass" on Bill "An Act relating to Definition of Employer under Employment Security Law" (H. P. 1150) (L. D. 1675)

Report was signed by the following members:

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

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

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

Report was signed by the following members:

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

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

Report was read.

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

**Mr. CHILDS:** Mr. Speaker, I move that both reports and all accompanying papers be indefinitely postponed and when the vote is taken I request it be taken by the yeas and nays.

The **SPEAKER:** The gentleman from Portland, Mr. Childs, moves that both committee reports be indefinitely postponed and requests a roll call vote.

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

**Mr. ROSS:** Mr. Speaker, I have no prepared harangue about this bill. I do have a couple of things that I would like to mention. This morning it was said that the republicans are against giving benefits to the working people of the State of Maine. It was said specifically that

we were against all increases at any time under unemployment compensation. We were not voting against the principle of unemployment compensation. I would like to point out that ten times during the past several years since we have had this law on our books, these benefits have been increased. They have been increased from \$240.00 available at one time to \$858.00. Without republican support in this Legislature none of these increases would have been possible.

We are today against the subject matter contained in these specific bills. If the legislation that we are voting on right now is supposed to help the present unemployment situation in the State of Maine, as you read it you will find that it does not do that, it will not become effective until April 1959. I support the motion to indefinitely postpone.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Childs, that both committee reports be indefinitely postponed. Is the House ready for the question?

The gentleman from Portland, Mr. Childs, has requested a roll call vote. For the Chair to order a roll call vote the Chair must have an expression of a desire for a roll call on the part of one-fifth of all the members present.

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

A sufficient number arose.

The SPEAKER: Obviously more than one-fifth having arisen a roll call vote is ordered.

The Chair will state the question once again. The question before the House is the motion of the gentleman from Portland, Mr. Childs, that both reports be indefinitely postponed. If when your name is called you answer yes, you will be voting for indefinite postponement and if you answer no, you will be voting against indefinite postponement.

The Chair will once more remind the House that if anyone questions the accuracy of the recording of the vote, the Chair will not recognize anyone until the roll call has been completed. The proper time to question the accuracy of the record is

after the roll calls have been completed.

The Clerk will call the roll.

#### ROLL CALL

YEA: Allen, Bartlett, Bean, Winterport; Besse, Beyer, Bragdon, Brewer, Brewster, Brockway, Brown, Ellsworth; Browne, Bangor; Bruce, Burnham, Call, Carter, Etna; Carter, Newport; Carville, Caswell, Childs, Christie, Cole, Crockett, Curtis, Davis, Calais; Davis, Westbrook; Denbow, Earles, Ederly, Emerson, Emery, Emmons, Ervin, Farmer, Flynn, Foss, Frazier, Fuller, Graves, Hancock, Hanscomb, Hanson, Harrington, Harris, Hatch, Hatfield, Haughn, Heald, Higgins, Hughes, Hutchinson, Jack, Jewell, Jones, Knapp, LaCasce, Leathers, Libby, Lindsay, Mann, Mathieson, Maxwell, Needham, Pierce, Quinn, Rankin, Rich, Roberts, Rollins, Ross, Bath; Ross, Brownville; Sanborn, Shaw, Shepard, Smith, Falmouth; Stanley, Stilphen, Storm, Turner, Vaughan, Wade, Walker, Walter, Webber, Wheaton, Whiting, Williams, Winchenpaw, Wood.

NAY: Andrews, Babineau, Beane, Augusta; Broderick, Carey, Cormier, Cote, Couture, Bath; Couture, Lewiston; Coyne, Cyr, Desmarais, Dostie, Dudley, Dumais, Duquette, Edwards, Elwell, Gallant, Hendricks, Hendsbee, Hickey, Hilton, Jacques, Jalbert, Johnson, Karkos, Kelly, Kinch, Lane, Letourneau, Maynard, Miller, Morway, Nadeau, Plante, Prue, Rowe, Madawaska; Roy, Saunders, Smith, Portland; Tevanian, Violette, Walsh, Warren.

ABSENT: Anthoine, Blanchard, Day, Edmunds, Frost, Harriman, Hathaway, Hoyt, Morrill, Porell, Rowe, Limerick; Tarbox, Thackeray.

YEA—88; NAY—45; Absent—13.

The SPEAKER: Eighty-eight having voted in the affirmative, forty-five in the negative, with thirteen absentees, the motion to indefinitely postpone does prevail.

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

#### Senate Report of Committee Ought to Pass

Report of the Committee on Highways reporting "Ought to pass" on

Bill "An Act Amending the 1957 General Highway Fund Allocation Act and Providing Matching Funds to Implement the Federal-Aid Highway Act of 1958" (S. P. 669) (L. D. 1674)

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

In the House, the report was read and accepted in concurrence and the Bill read twice. Under suspension of the rules, the Bill was given its third reading and passed to be engrossed in concurrence.

Thereupon, on motion of Mr. Turner of Auburn, sent forthwith to the Senate.

#### House at Ease

Called to order by the Speaker.

The following papers from the Senate were taken up out of order under suspension of the rules:

From the Senate: The following Order:

ORDERED, the House concurring, that whereas the economic welfare of the potato industry in the State of Maine may be in extreme jeopardy as a result of the operations of the commodity markets, the Legislative Research Committee be, and hereby is, directed to study the question of whether or not within the State of Maine, and particularly within the power of the Legislative Branch of the Maine Government, any action may be undertaken to the end of correcting the problem.

It is also directed that the Legislative Research Committee may, if in its judgment, the problem can better be solved via other procedures, request the Department of Economic Development as part of its '58-'59 program consistent with Section 4, III of its enabling legislation be requested to undertake on its own motion a study and report covering all the broad phases of this threat to the economy of the potato growing industry in Maine.

The Legislature recognizes and commends any combined effort on the part of both the Legislative Research Committee and Department of Economic Development, and any other department of government and any segment of private industry in Maine, that may result in solution to this serious problem.

The Legislature understands that in the passage of this Order, it may require funds which are not available within the current appropriation of the Department of Economic Development; it therefore would be necessary for this work to be financed at the expense of present agricultural activities which are currently a responsibility of the Department of Economic Development, or from other agricultural resources, or any other financial resources which may be available. (S. P. 677)

Came from the Senate read and passed.

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

The SPEAKER: The Clerk at this time will read a communication from the Governor.

The communication was read by the Clerk as follows:

STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE

8 May, 1958

To the Honorable Senate and  
House of Representatives of the  
Ninety-eighth Legislature:  
Gentlemen:

This morning I received the following telegram from United States Senator Paul H. Douglas, a member of the Senate Finance Committee:

"The Bill to provide for temporary additional unemployment compensation, H. R. 12065, as passed by the House of Representatives on May 1, 1958, provides that moneys may be advanced to a State by the federal government under an agreement with the State or with the agency administering its unemployment compensation law, to pay benefits to unemployed persons who are covered by State laws but who have exhausted all of the benefits to which they are entitled under the State law. One of the conditions attached to such advance of federal funds is the requirement that they will be repaid to the federal treasury either by direct repayment by the State or through an increase in the Federal Unemployment Tax on the employers in such State if after four years the amounts have not been directly repaid.

"Would you as Governor or the agency administering the unemployment compensation law of your

State have the authority, without action by your State Legislature, to request these new federal funds and enter an agreement to pay benefits not now provided by the State law and thereby create an obligation to repay such funds either (1) by the State directly or (2) indirectly through the federal collection of the additional tax on the employers in the State, which is imposed after four years by this Bill? If specific legislative authority is required, does your State law now give such authority to the Governor or the state agency, or would additional action by the State Legislature be necessary?

"The Senate Finance Committee, of which I am a member, will consider this measure beginning Tuesday, May 13, and the information sought in these inquiries to you is essential to our full understanding of the effect of this Bill. I would therefore greatly appreciate a reply from you by May 13."

I have already mentioned this problem to you in my remarks of Tuesday, May 6, 1958. I take this opportunity to re-emphasize it because of the telegram I have received this morning and to which I must give a reply. I ask, simply, that you take the necessary steps, by appropriate amendment to pending legislation, to state your position specifically with respect to this proposition. If the Congress should approve the legislation in its present form, a decision must be available as to whether or not its provisions can be accepted for the benefit of the unemployed in the State of Maine.

The following language, which has been reviewed by the Attorney General, would serve this purpose:

"The commission is authorized to enter into an agreement with any agency of the United States under which the commission may make payment of unemployment insurance benefits for an additional amount in excess of the amounts shown in section 13, subsection II, column D, and may make such arrangements as may be necessary with the United States for funds from the United States or any agency thereof to carry out this purpose. Such agreement shall not impose any obligation upon the State of Maine

to repay funds so received and disbursed. The commission is authorized to receive and disburse such funds in accordance with any agreement executed pursuant to this paragraph."

If the suggested legislation is enacted, and if H. R. 12065, referred to in Senator Douglas' letter, becomes Federal law, the effect of an agreement between the Commission and the Federal Government would be an increase in the Federal Unemployment Tax on Maine employers after four years.

Respectfully yours,  
(Signed) EDMUND S. MUSKIE  
Edmund S. Muskie

The communication was placed on file.

### Emergency Measure Tabled Until Later in Today's Session

An Act to Exclude National Guard and Reserve Pay from Wages under Employment Security Law (H. P. 1157) (L. D. 1682)

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

Mr. ROSS: Mr. Speaker, I would like to make a motion that we reconsider our action whereby we passed this measure to be engrossed for the purpose of presenting an amendment and I would like to talk to that amendment please.

The SPEAKER: The question before the House is the motion of the gentleman from Bath, Mr. Ross, that the House reconsider its action whereby it passed this bill to be engrossed this morning. Will all those who favor reconsidering our action whereby we passed this bill to be engrossed please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

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

Mr. ROSS: Mr. Speaker, I would now like to offer House Amendment "B" which has been reproduced as filing 650. This is not the complicated amendment that you may have heard about. This is an amendment suggested by the Commission that does just one thing, it crosses out the word "1957" and puts in there "1958". If we passed the law

the way it was originally written it would be retroactive to 1957 and all of those benefits would have to be refigured and paid that way. The intent was to make it 1958.

The SPEAKER: The gentleman from Bath, Mr. Ross, presents House Amendment "B" and moves its adoption. The Clerk will read House Amendment "B".

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

HOUSE AMENDMENT "B" to H. P. 1157, L. D. 1682, Bill, "An Act to Exclude National Guard and Reserve Pay from Wages Under Employment Security Law."

Amend said Bill in the 7th line of section 2 by drawing a line through the figures "1957" and inserting immediately after said stricken out figures the underlined figures '1958'

House Amendment "B" was adopted.

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

Mr. WALSH: Mr. Speaker, I offer House Amendment "A" to House Paper 1157, L. D. 1682 reproduced and distributed with filing 649. I would like to speak very briefly to that amendment.

The SPEAKER: The gentleman may proceed.

Mr. WALSH: Mr. Speaker, there is no necessity—I think the communication explains pretty well to you, the communication from the Governor, which included the communication he received from Senator Douglas, pretty well explains to you the purpose of this amendment. It is to authorize the Commission to enter into an agreement with the Federal Government, that if the bill now pending before Congress having already passed the House, also passes the Senate, we will be able to take advantage of any Federal money that may be extended to the state for unemployment insurance program. I do feel that you should know, as it is stated in the amendment,—as it is stated in the letter rather, the communication received by the Governor, that, at the end of four years the Federal Government may require collection not from the State, but it would be in the form of increasing tax on the employers of the State. However, it is also true that the

general feeling among both branches of Congress in Washington that such will never be required at the end of four years. Those two points I think you should be notified of before you cast your vote. Thank you.

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

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

HOUSE AMENDMENT "A" to H. P. 1157, L. D. 1682, Bill, "An Act to Exclude National Guard and Reserve Pay from Wages Under Employment Security Law."

Amend said Bill by adding after the word "Wages", in the Title, the words 'and to Permit the Commission to Accept and Disburse Federal Funds'.

Further amend said Bill by adding at the end, before the Emergency Clause, the following section:

"Sec. 3. R. S., c. 29, § 5, sub-§ XII, amended. Subsection XII of section 5 of chapter 29 of the Revised Statutes is hereby amended by adding at the end a new paragraph, as follows:

'The commission is authorized to enter into an agreement with any agency of the United States under which the commission may make payment of unemployment insurance benefits for an additional amount in excess of the amounts shown in section 13, subsection II, column D, and may make such arrangements as may be necessary with the United States for funds from the United States or any agency thereof to carry out this purpose. Such agreement shall not impose any obligation upon the State of Maine to repay funds so received and disbursed. The commission is authorized to receive and disburse such funds in accordance with any agreement executed pursuant to this paragraph.' "

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

Mr. ROSS: Mr. Speaker, I move that this item be tabled temporarily.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves that

this Amendment be tabled and especially assigned for later in the day pending the motion of the gentleman from Brunswick, Mr. Walsh, that the Amendment be adopted. Is this the pleasure of the House?

The motion prevailed and the Amendment was so tabled.

#### Passed to Be Enacted Emergency Measure

An Act Closing Certain Fishways and Waters Near Hatcheries and Feeding Stations to Fishing (S. P. 673) (L. D. 1677)

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

#### Emergency Measure

An Act relating to Definition of Fish under Weights and Measures Law (H. P. 1156) (L. D. 1681)

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

#### Emergency Measure

An Act Amending the 1957 General Highway Fund Allocation Act and Providing Matching Funds to Implement the Federal-Aid Highway Act of 1958. (S. P. 669) (L. D. 1674)

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

The SPEAKER: The Chair at this time would like to recognize the presence in the gallery of the House of a group of high school seniors, the Government Class from South Bristol accompanied by Clarence Woodbury, their Principal. On behalf of the House the Chair extends to you a most cordial welcome and we hope you will enjoy your visit this afternoon. (Applause)

#### Passed to Be Enacted

An Act relating to Borrowing by University of Maine for Construction of Men's Dormitory and Men's Dining Hall (H. P. 1153) (L. D. 1679)

An Act to Incorporate the Limerick Water District (H. P. 1158) (L. D. 1685)

An Act Providing Fire Protection for Argyle Township and Kingman Plantation, Penobscot County (H. P. 1160) (L. D. 1683)

An Act relating to the Topsham Sewer District (H. P. 1163) (L. D. 1684)

#### Finally Passed

Resolve Authorizing Commissioner of Institutional Services to Grant Certain Easements on Land of the State Hospital in Bangor (H. P. 1155) (L. D. 1680)

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

On motion of Mr. Ross of Bath, Recessed until the sound of the gong.

#### After Recess

3:50 P.M.

The House was called to order by the Speaker.

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

From the Senate: The following Order:

ORDERED, the House concurring, that there be paid to the Officers of the Senate and House of Representatives for salaries for this Special Session, the amounts included in lists certified to the State Controller by the Secretary of the Senate and Clerk of the House, respectively, subject to the approval of the Committee on Appropriations



and Financial Affairs (S. P. 678)

Came from the Senate read and passed.

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

#### House at Ease

Called to order by the Speaker.

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

Mr. ROSS: Mr. Speaker, I request that we remove from the table L. D. 1682.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves that we remove from the table House Amendment "A" to Bill "An Act to Exclude National Guard and Reserve Pay from Wages under Employment Security Law", H. P. 1157, L. D. 1682, which was tabled by that gentleman pending the motion of the gentleman from Brunswick, Mr. Walsh, that House Amendment "A" be adopted. Is this the pleasure of the House?

The motion prevailed.

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

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

Mr. CHILDS: Mr. Speaker, I now move that House Amendment "A" be indefinitely postponed, and I would like to speak very briefly on the motion. The whole thing rather baffles me. First of all I refer to the telegram received by Governor Muskie and sent to him from Senator Douglas. The telegram states and asks the Governor: "Would you as Governor or the agency administering the unemployment compensation law of your State have the authority, without action by your State Legislature, to request these new federal funds and enter an agreement to pay benefits not now provided by the State law and thereby create an obligation to repay such funds either (1) by the State directly or (2) indirectly through the federal collection of the additional tax on the employers in the State, which is imposed after four years by this Bill?" Those are the questions which have been asked. In my mind they are very simple questions and I believe that they receive very simple answers.

I certainly do not think that it is necessary for us to pass legislation on contingent legislation in Congress. This matter is now before the United States Senate. We haven't the slightest idea how it is going to come out of the Senate. The Senate may put amendments on it, it may even be defeated. And for us to go ahead and pass legislation on something which we don't even know if it will ever happen, I think is absolutely ridiculous. And I certainly think that the Governor can just answer these questions without putting legislation before us.

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

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

Mr. WALSH: Mr. Speaker and Ladies and Gentlemen of the House: We were called back here because in our good judgment at our regular session in January we came up with a program that we thought in our best combined opinions would best meet the needs of the highway problems in the State of Maine. We were called back because on the referendum vote on March 10 certain action was taken which required our being called back, instituted and promoted not by members of the Democratic party but by members of the Republican party. We were called back for a special session for that purpose. We sit here and we are ridiculed by the gentleman from Portland, Mr. Childs, because we are members of the Democratic party. I'm proud to be a member of the Democratic party, and I am proud of what the Democratic party has fought to try to do for the people of the State of Maine. As far as I can see, it is the opinion of the majority of this House that we do nothing for the unfortunate people that are unemployed, still the President of the United States, the leadership of the Senate, the leadership of the Congress down in Washington, D. C., almost everybody, except the majority of the Representatives here in the House in the State of Maine, feel that something should be done for the unfortunate people.

We have fought tooth and toenail to try to get things done. Turned down because we are outnumbered.

I have been a gentleman I think all the way through. I want to be just as gentlemanly as I can in my remarks, but I am human just like any other individual is, and I can be pushed just so far and then I start to fight. And I am fighting mad when they continue to ridicule things after I think in my humble opinion we have been gentlemen right straight through two roll call votes, to continue to try to push it down your throat deeper and deeper. It's gone deep enough. If the Republican party doesn't choose to do anything for the unfortunate people in the State of Maine, live with it! We in the Democratic party believe in trying to do something, and you can call us anything you want, we are still going to try.

I certainly want to make one motion when the vote for indefinite postponement is taken on this amendment, that it be taken by the yeas and the nays.

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

Mr. STANLEY: Mr. Speaker and Ladies and Gentlemen of this House: We are sent down here as representatives of the people of Maine — we are here representing a party, each one of us. We have things said at us and against us and innuendoes and so forth, and you have to get a little thick-skinned after a while to take those things. Some people are big enough to do it and some are rather small. We came down here because we were called by Proclamation of Governor Muskie, not particularly for the Highway Bill.

We who were members of this House or are members of this House passed the Highway Bill in the regular session of this Legislature and then, something which the Democratic Party has desired for years is to have referendums on every question that the Legislature passes. We had a referendum, which we didn't ask for particularly, but some people who were interested in the bill who are citizens of the State have as much interest and are as big stockholders as anyone of us

here today. We had the referendum and they said to us, "we don't like the way you're financing this thing, we don't like it at all." And they turned it down five to one. Governor Muskie was in favor of this program—the people turned it down.

Governor Muskie on the other referendum questions that we had that came out of the regular session of this Legislature went on television, I don't know how many hours, to tell the people that they should vote for these things. I don't remember that he was on television as to our referendum vote on the money to pay for the highway bill that he wanted passed. I don't remember him doing anything except saying when the thing was over: "I can't argue with the voters." But then he does argue with the voters by calling us back here to resurrect something which they turned down. I don't usually shout as loud as this at times; I am quite easy to get along with most of the time, except my wife says I'm rather a witch at home.

We came down here — the rest of you are quite respectable people — and we have a nineteen page address by Governor Muskie: "Once again it is my privilege to welcome you back \* \* \*". We had done our job when we were here. The people said we don't want to pay for this thing the way you said that we should pay for it. We don't want to pay for the program which Governor Muskie recommended, and Governor Muskie recommended that they be paid this way. We don't want it that way. So the Governor says we must have a special session to take care of this highway bill, but he says: "The Agenda for this session is related to the current economic situation in the State and in the Country." Okay, it is. Apparently we have some economic problem that we should take care of, so he comes out with two bills saying that we should increase the unemployment benefits to these people who are now unemployed. In the same breath, at the same time, he comes out with a highway bill in which he cuts a good deal of the projects that were going to be done. It has always been my belief that the people who were unemployed would much

rather be employed, and I am sure that all of the testimony that we heard this morning, that was the feeling of everyone that the people would rather be employed than they would to take unemployment checks.

The Governor says: "The problems which you will be asked to consider impose responsibilities upon both the Governor and the Legislature; and we owe it to the people of Maine, whether they are directly or indirectly affected, to give these problems that full consideration which can be given only in a session of the Legislature." This is a special session of the Legislature which nobody wants to spend a lot of time at because I am sure that most of the people feel it was very unnecessary. So how are you going to give consideration and full consideration under those circumstances?

As I said before, the Governor goes on by saying: "The Agenda for this session is related to the current economic situation in the State and in the Country. For that reason, some reference to economic conditions is appropriate." I would think so. "I shall try to make my comments factual," says the Governor, "objective, and devoid of that extravagant oratory which prevails in an election year, and which can so easily provoke irresponsible decisions." Usually the people who make accusations of you having a fault are usually the people who have that fault to the greatest extent. He must have been very conscious of the fact that this was a political—I don't know, arena, I guess, or he never would have mentioned it. Nobody else has mentioned it, and certainly I agree with the statement that this type of session easily provokes irresponsible decisions and I want to be no part of it. The only thing I can see that we have left to do actually is to vote on the highway bill the Governor recommended and which has been passed to be engrossed in the form in which he wanted it where he does away with jobs where people could be employed and earn more money than they would get with unemployment compensation checks, and then he fights for the unemployment compensation checks and cuts out

jobs where they could be employed.

We were admonished to take an aggressive attitude toward the solution of this recession problem. Well lets take an aggressive attitude. To increase unemployment compensation or to send a note to some Senator in Washington to tell him that we want more unemployment compensation when they get around to making up their minds as to what it shall be, are we being aggressive? Why don't we provide jobs for these people? That actually is what they want. It is not unemployment compensation. I think we would do well to go along with the indefinite postponement of this amendment and go home.

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

Mr. JALBERT: Mr. Speaker, it might be well to remind one another again that the Governor called a special session after consulting with leaders of both parties, also that legislation was actually drawn up and mailed to us before we landed here. I got three bills that were printed. It might also be well to remind one another that had the Governor wanted to play politics, he certainly could have dipped into the five million dollar surplus as far as highway fund is concerned which would have been more, much more than enough to meet the program that was turned down by the voters, because he is not going to be here next year, and to end the political rally—he will be in Washington—I move the previous question.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, has moved the previous question. In order for the Chair to entertain the motion for the previous question, the Chair must have the consent of one-third of the members of the House. 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.

A sufficient number arose.

The SPEAKER: Obviously more than one-third having arisen, the Chair is authorized to entertain the motion. The question now before the House is shall the main ques-

tion be put now? This motion is debatable with a time limit of five minutes for any member who wishes to speak. Will those in favor of the main question being put now please say aye; those opposed no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The main question before the House is the motion of the gentleman from Portland, Mr. Childs, that House Amendment "A" be indefinitely postponed, and the gentleman from Portland has requested a roll call vote. Before the Chair can order a roll call vote, the Chair must have an expression of a desire for a roll call vote by one-fifth of the members. Will those who desire a roll call vote, please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-fifth having arisen, a roll call vote is in order. The Chair will state the question. The question before the House is the motion of the gentleman from Portland, Mr. Childs, that House Amendment "A" to Bill "An Act to Exclude National Guard and Reserve Pay from Wages under Employment Security Law", H. P. 1157, L. D. 1682, be indefinitely postponed. If you vote yes when your name is called you will be voting in favor of indefinite postponement. If you vote no, you will be voting against indefinite postponement.

The Chair will once more remind the House that the Chair will not recognize anyone until the roll calls have been completed. The Clerk will call the roll.

#### ROLL CALL

YEA — Allen, Bartlett, Bean, Winterport; Besse, Beyer, Bragdon, Brewer, Brewster, Brockway, Brown, Ellsworth; Browne, Bangor; Bruce, Burnham, Call, Carter, Etna; Carter, Newport; Carville, Caswell, Childs, Christie, Cole, Crockett, Curtis, Davis, Calais; Denbow, Edgerly, Emerson, Emery, Emmons, Ervin, Farmer, Flynn, Foss, Frazier, Frost, Fuller, Graves, Hancock, Hanscomb, Hanson, Harrington, Harris, Hatch, Hatfield, Haughn, Heald, Higgins, Hughes, Hutchinson, Jewell, Jones, Knapp, LaCasce, Leathers, Libby, Lindsay, Mann, Mathieson, Maxwell, Need-

ham, Pierce, Quinn, Rankin, Rich, Roberts, Ross, Bath; Ross, Brownville; Rowe, Limerick; Sanborn, Shaw, Shepard, Smith, Falmouth; Stanley, Stilphen, Storm, Turner, Vaughan, Wade, Walker, Walter, Webber, Wheaton, Whiting, Williams, Winchenpaw, Wood.

NAY — Andrews, Babineau, Beane, Augusta; Broderick, Carey, Cormier, Cote, Couture, Bath; Couture, Lewiston; Coyne, Cyr, Davis, Westbrook; Desmarais, Dostie, Dudley, Dumais, Duquette, Earles, Edwards, Elwell, Gallant, Hendricks, Hendsbee, Hickey, Hilton, Jacques, Jalbert, Johnson, Karkos, Kelly, Kinch, Lane, Letourneau, Maynard, Miller, Morway, Nadeau, Prue, Rowe, Madawaska; Roy, Smith, Portland; Tevanian, Violette, Walsh, Warren.

ABSENT — Anthoine, Blanchard, Day, Edmunds, Harriman, Hathaway, Hoyt, Jack, Morrill, Plante, Porell, Rollins, Saunders, Tarbox, Thackeray.

Yea, 86; Nay, 45; Absent, 15.

The SPEAKER: Eighty-six having voted in the affirmative, forty-five in the negative, with fifteen absents, the motion to indefinitely postpone House Amendment "A" does prevail.

Thereupon, the Bill was passed to be engrossed as amended by House Amendment "B" in non-concurrence, and sent forthwith to the Senate.

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

Mr. SHAW: Mr. Speaker and Ladies and Gentlemen of the House: You have before you on your desks a proposed Memorial to Congress. May I first of all say that those close to the industries encompassed in this memorialization feel that this can perform some good function for them. I assure you that it will not disrupt the mechanics of this special session and will not delay our closing by a matter of seconds possibly.

Now I want to speak to you just briefly in regard to the problem of the industries who are included in this memorialization. The memorialization pertains to a matter that has become a serious threat to the industries mentioned therein. I will specifically enumerate: textiles,

hardwood plywood, clothespins and the fishing industry. Undoubtedly there are other industries threatened and the failure to include them in this memorialization is only due to the limited time we have had to prepare it.

I wish to speak to you briefly in reference to the hardwood plywood problem, which is of major concern to the residents of my district. Although my knowledge of the plight of the other industries is limited, we know they have cause for real concern and assume that their problems are parallel with that of the hardwood plywood industry. The U.S. Bureau of Census indicates that there are approximately one hundred and twenty-two hardwood plywood plants in the United States. There was eighty-nine per cent more plywood purchased in 1957 than in the year 1951, but domestic manufacturers sold less of their product in 1957 than they sold in 1951. Over the same period of time the sale of Japanese manufactured plywood increased some six thousand eight hundred and thirty-two per cent. In 1957 American plants shared forty-eight per cent of their own market and imported foreign products absorbed the remaining fifty-two per cent of the market. The labor costs of producing a thousand surface feet of hardwood plywood in Japan is approximately \$4.17 per thousand, and U. S. manufacturers' costs are approximately \$38.50 per thousand surface feet. This is a big factor in itself, the labor factor.

Now in the United States it can become a civil or a criminal offense for U. S. manufacturers to control prices or production, and here we have a foreign manufactured—or have foreign manufactured commodities, which in the opinion of many has a great deal to do with the control of the private market. In my community we have a plywood industry which has increasingly operated over a period of some twenty years and made favorable strides. The firm is a closed corporation and by faith in their ability to manufacture a better product they have expanded their productive facilities from rather a modest plant to a completely modernized plant,

which is the lifeblood of our community and employs some six hundred people. The forward-looking management of this firm was quite willing to put their ingenuity and dollars in a competitive market against their fellow manufacturers and with the same display of ability that has made our nation great, and they have been very successful in that respect.

The problem which faces them today, from the importation of foreign plywood, leaves them no opportunity to exercise their ingenuity for they are unable to compete on the open market against eleven and one-half cent per hour labor. Now I want to make this as brief as possible, and I hope that you will join with me in unanimous passage of this memorialization expressing our concern for the future of the Maine manufacturers who are affected. Thank you very much. I would ask for passage of the Memorial.

The SPEAKER: The Clerk will read the Memorial.

The Clerk read the Memorial as follows:

#### STATE OF MAINE

IN THE YEAR OF OUR LORD  
ONE THOUSAND NINE HUNDRED  
AND FIFTY-EIGHT

#### MEMORIAL

To the Honorable Senate and House of Representatives of the United States of America in Congress Assembled

JOINT RESOLUTION MEMORIALIZING CONGRESS TO PROVIDE ADEQUATE SAFEGUARDS IN TARIFF AND FOREIGN TRADE POLICY LEGISLATION

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the Ninety-eighth Legislative Session assembled, most respectfully present and petition your Honorable Body as follows:

Whereas, the steadily increasing importation from foreign countries into the United States of numerous products that unfairly compete with a substantial part of the products of Maine's industrial economy constitutes a constant threat to the State's economic stability; and

Whereas, the manufacturing and processing industries such as textiles, hardwood plywood, clothespins and fisheries pay wages at the American standard to our residents and support the State and Federal Governments by payment of taxes; and

Whereas, the cost of production in low-wage, highly industrialized foreign countries is far below the cost of production in the State of Maine and it is impossible for our industries to compete with the low priced imports; and

Whereas, some industries of Maine are being forced to close or reduce work forces, man work-hours and prices, resulting in financial losses to the companies, reduction in take-home pay to workers and unemployment; now, therefore, be it

RESOLVED: That we, the Memorialists, recommend to the Congress of the United States to provide in the Trade Agreements legislation now before it adequate safeguards to remedy injury to domestic industry through import quotas and an effective legal control; and be it further

RESOLVED: That copies of this resolution, duly authenticated by the Secretary of State, be immediately transmitted by the Secretary of State to the Senate and House of Representatives in Congress, to the President of the United States, the Vice President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Labor, the Chairman of the United States Tariff Commission, the President of the Senate, the Speaker of the House of Representatives, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Finance Committee, and each Senator and Representative from Maine in the Congress of the United States. (H. P. 1165)

The SPEAKER: The question now before the House is the motion of the gentleman from Bingham, Mr. Shaw, that this Memorial be adopted under suspension of the rules and without reference to a committee.

A viva voce vote being taken, the Memorial was adopted under suspension of the rules and without

reference to a committee and was sent to the Senate for concurrence.

#### House at Ease

Called to order by the Speaker.

The SPEAKER: The House is continuing on bills on their passage to be enacted.

#### Emergency Measure

An Act to Exclude National Guard and Reserve Pay from Wages under Employment Security Law (H. P. 1157) (L. D. 1682)

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

The Clerk read some notices.

#### House at Ease

Called to order by the Speaker.

A message came from the Senate borne by Senator Low of that body informing the House that the Senate had transacted all business before it and was ready to adjourn.

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

Mr. ROSS: Mr. Speaker, I move that a message be delivered to the Senate informing that body that the House has acted upon all matters before it and is ready to adjourn with day.

Pursuant to that motion the gentleman from Bath, Mr. Ross, was charged with and conveyed a message to the Senate informing that body that the House had acted on all matters before it and was ready to adjourn.

#### House at Ease

Called to order by the Speaker.

From the Senate: The following Order:

ORDERED, the House concurring, that a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon his Excellency, the Gov-

error, and inform him that both branches of the Legislature have acted on all matters before them and are ready to receive any further communications he may be pleased to make. (S. P. 679)

Comes from the Senate in that body read and passed with the following members appointed on its part:

Senators:

SINCLAIR of Somerset  
PARKER of Piscataquis  
ST. PIERRE of  
Androscoggin

In the House: The Order was read and passed in concurrence.

The Speaker appointed the following members on the part of the House:

Messrs. BREWER of Caribou  
BROCKWAY of Milo  
FARMER of Wiscasset  
CARTER of Etna  
HICKEY of Biddeford  
CAREY of Augusta  
SMITH of Portland

Subsequently Mr. Brewer, for the Committee, reported that the Committee had delivered the message with which it was charged, and His Excellency, Governor Edmund D. Muskie, accompanied the Committee and delivered the following communication:

Mr. Speaker and Members of the House:

I herewith submit a tabulation of the results of this third Special Session of the 98th Legislature:

Acts approved:	8
Resolves approved:	1
Vetoes presented:	0

I trust that my request bringing you back to give serious attention to problems of highway finance and to problems which are pressing heavily upon persons who are unemployed has not been too much of an imposition on you. I realize that the decisions involved are not comfortable ones to face; but duty and responsibility should have priority over personal comfort and convenience.

I understand that most of you have disagreed rather emphatically with proposals which I have advanced; and I respect your right to do so, and I do so without rancor.

I wish you Godspeed and an enjoyable and prosperous summer. (Prolonged Applause, the members rising)

Thereupon, Governor Muskie retired from the Hall of the House.

The SPEAKER: The Chair recognizes the gentleman from Dexter, Mr. Roberts.

Mr. ROBERTS: Mr. Speaker and Members of the House: I move we now adjourn without day.

The SPEAKER: The gentleman from Dexter, Mr. Roberts, moves that the House now adjourn without day. Is this the pleasure of the House?

The motion prevailed and the House adjourned without day at 5:41 P.M.