

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Ninth Legislature*

OF THE

STATE OF MAINE

1959

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

## HOUSE

Thursday, February 19, 1959

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

Prayer by the Rev. Mr. Carl Kingsbury of the Community Church, Monroe.

The journal of yesterday was read and approved.

The SPEAKER: At this time the Chair is honored to recognize the presence in the House of the Honorable J. Robert Ayers, who is a Representative in the Legislature of the State of Massachusetts, and the Chair would request the Sergeant-at-Arm to escort Mr. Ayers to the rostrum to be the guest of the Speaker on the rostrum.

Thereupon, the Hon. J. Robert Ayers, Representative of the House of Representatives, State of Massachusetts, was escorted to the rostrum by the Sergeant-at-Arms amid the applause of the House, the members rising.

From the Senate:

Bill "An Act relating to Definition of Poultry under Weights and Measures Law" (S. P. 265) (L. D. 727)

Came from the Senate referred to the Committee on Agriculture.

In the House, referred to the Committee on Agriculture in concurrence.

From the Senate:

Bill "An Act Creating a Permanent Committee on Aging" (S. P. 266) (L. D. 728)

Bill "An Act Creating the Maine Educational Television Authority" (S. P. 267) (L. D. 729)

Bill "An Act to Reactivate the Maine Committee on Aging and Authorize a Report to the 1961 White House Conference on Aging" (S. P. 284) (L. D. 746)

Resolve Appropriating Moneys for Private Hospital Aid to Medically Indigent (S. P. 268) (L. D. 730)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Bill "An Act Authorizing the Issuance of Group Life Insurance on Dependents" (S. P. 269) (L. D. 731)

Bill "An Act relating to Non-forfeiture Benefits and Valuation Standards for Life Insurance Policies" (S. P. 270) (L. D. 732)

Came from the Senate referred to the Committee on Business Legislation.

In the House, referred to the Committee on Business Legislation in concurrence.

From the Senate:

Bill "An Act relating to Salaries of Superintendents of Schools" (S. P. 271) (L. D. 733)

Bill "An Act to Make Valid the Incorporation of School Administrative Districts Nos. 1, 2, 3, 4, 5 and 6" (S. P. 285) (L. D. 747)

Bill "An Act to Authorize the Municipalities of Bremen, Waldoboro and Washington to Form a School Administrative District" (S. P. 286) (L. D. 748)

Came from the Senate referred to the Committee on Education.

In the House, referred to the Committee on Education in concurrence.

From the Senate:

Resolve Appropriating Moneys to Preserve Covered Bridges (S. P. 272) (L. D. 734)

Came from the Senate referred to the Committee on Highways.

In the House, referred to the Committee on Highways in concurrence.

From the Senate:

Bill "An Act relating to Free Fishing Licenses for Old Age Assistance Recipients" (S. P. 273) (L. D. 735)

Resolve Opening County Road Lake in Aroostook County to Ice Fishing (S. P. 274) (L. D. 736)

Resolve Regulating Fishing on Deer Meadow Pond in Lincoln County (S. P. 275) (L. D. 737)

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate:

Bill "An Act relating to Artificial Aids for Employees for Injuries under Workmen's Compensation Law" (S. P. 276) (L. D. 738)

Came from the Senate referred to the Committee on Labor.

In the House, referred to the Committee on Labor in concurrence.

From the Senate:

Bill "An Act to Clarify the Maine Mining Law" (S. P. 277) (L. D. 739)

Came from the Senate referred to the Committee on Natural Resources.

In the House, referred to the Committee on Natural Resources in concurrence.

From the Senate:

Bill "An Act Increasing Fees for Licenses of Eating and Lodging Places" (S. P. 278) (L. D. 740)

Came from the Senate referred to the Committee on Public Health.

In the House, referred to the Committee on Public Health in concurrence.

From the Senate:

Bill "An Act relating to Construction Reserve Fund in Department of Finance and Administration" (S. P. 279) (L. D. 741)

Bill "An Act relating to Lands Needed by the State" (S. P. 280) (L. D. 742)

Bill "An Act relating to Disposition of Funds Received by State Park Commission" (S. P. 281) (L. D. 743)

Came from the Senate referred to the Committee on State Government.

In the House, referred to the Committee on State Government in concurrence.

From the Senate:

Bill "An Act Increasing Salary of County Attorney of York County" (S. P. 282) (L. D. 744)

Bill "An Act Increasing Salaries of Judge and Recorder of Saco Municipal Court" (S. P. 287) (L. D. 749)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in concurrence.

From the Senate:

Bill "An Act Clarifying the Laws Relating to Support of Dependents" (S. P. 283) (L. D. 745)

Came from the Senate referred to the Committee on Welfare.

In the House, referred to the Committee on Welfare in concurrence.

**Tabled**

From the Senate: The following Order:

ORDERED, the House concurring, that the Department of Personnel be, and hereby is, authorized and directed to conduct an analysis and job evaluation for the purpose of establishing salary ranges for the positions established to perform services for the Legislature during its sessions; and be it further

ORDERED, that the Department of Personnel report the results of its study and recommendations to the 100th Legislature (S. P. 301)

Came from the Senate read and passed.

In the House, the Order was read. On motion of Mr. Wade of Auburn, tabled pending further consideration and unassigned, and ordered reproduced.

The following paper from the Senate not on the Advance Journal:

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 24, at ten o'clock in the forenoon. (S. P. 302)

Came from the Senate today read and passed.

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

**Senate Reports of Committees Ought to Pass**

Report of the Committee on Business Legislation reporting "Ought to pass" on Bill "An Act relating to Inactive Bank Accounts" (S. P. 130) (L. D. 325)

Report of the Committee on Taxation reporting same on Bill "An Act Suspending Taxes on Certain Cases of Sardines" (S. P. 86) (L. D. 158)

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

In the House, the Reports were read and accepted in concurrence, the Bills read twice and assigned the next legislative day.

**Divided Report**

Majority Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Resolve Regulating Fishing in Bemis Stream, Franklin County (S. P. 96) (L. D. 214)

Report was signed by the following members:

Messrs. CARPENTER of Somerset  
BRIGGS of Aroostook  
HILLMAN of Penobscot  
— of the Senate.

Messrs. MONROE of Monroe  
WHEATON of Princeton  
HARRIS of Greenville  
DODGE of Guilford  
DUDLEY of Enfield  
MOORE of Casco  
— of the House.

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

Report was signed by the following member:

Mr. CARVILLE of Eustis  
— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read and the Majority "Ought not to pass" Report was accepted in concurrence.

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

**Non-Concurrent Matter**

Bill "An Act to Authorize County Commissioners of Cumberland County to Issue Bonds for Portland Bridge Repairs" (H. P. 430) (L. D. 636) which was referred to the Committee on Towns and Counties in the House on February 11.

Came from the Senate referred to the Committee on Highways in non-concurrence.

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

**Non-Concurrent Matter**

Bill "An Act to Reimburse Town of Warren for Loss of Tax Revenue" (H. P. 481) (L. D. 699) which was referred to the Committee on Claims in the House on February 12.

Came from the Senate referred to the Committee on State Government in non-concurrence.

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

**Petitions, Bills and Resolves  
Requiring Reference**

The following 15 Bills and Resolves (transmitted by the Director of Legislative Research pursuant to Joint Order S. P. 47) were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Appropriations  
and Financial Affairs**

Bill "An Act Providing Moneys for Construction of Patient Building at Western Maine Sanatorium" (H. P. 599) (Presented by Mr. Dunn of Poland)

(Ordered Printed)

Bill "An Act Providing for a State Tuberculosis Annex to Madigan Memorial Hospital in Houlton" (H. P. 600) (Presented by Mr. Ervin of Houlton)

(Ordered Printed)

Resolve Appropriating Moneys to Replace and Repair Songo Locks, Cumberland County (H. P. 601) (Presented by Mr. Haughn of Bridgton)

(Ordered Printed)

Sent up for concurrence.

**Business Legislation**

Bill "An Act relating to Unfair Methods of Competition and Trade Practices" (H. P. 602) (Presented by Mr. Walter of Waldoboro)

(Ordered Printed)

Bill "An Act relating to Regulations of Insurance Commissioner under Unfair Methods of Competition and Trade Practices Act" (H. P. 603) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

**Education**

Bill "An Act to Authorize the Municipalities of Limestone and Caswell Plantation to Form a School Administrative District" (H. P. 604) (Presented by Mr. Johnson of Stockholm)

(Ordered Printed)

Sent up for concurrence.

**Highways**

Bill "An Act relating to Services of State Police on Maine Turnpike" (H. P. 605) (Presented by Mr. Crockett of Freeport)  
(Ordered Printed)  
Sent up for concurrence.

**Inland Fisheries and Game**

Bill "An Act relating to Open Season on Fisher in Certain Counties" (H. P. 606) (Presented by Mr. Moore of Casco)  
(Ordered Printed)

Bill "An Act relating to Special Dog Training Areas" (H. P. 607) (Presented by Mr. Morse of Oakland)  
(Ordered Printed)

Bill "An Act Creating Game Management Area of Towns of Deer Isle and Stonington, Hancock County" (H. P. 608) (Presented by Mr. Shepard of Stonington)  
(Ordered Printed)  
Sent up for concurrence.

**Labor**

Bill "An Act relating to Waiting Period under Employment Security Law" (H. P. 609) (Presented by Mr. Desmarais of Sanford)  
(Ordered Printed)  
Sent up for concurrence.

**Legal Affairs**

Bill "An Act relating to Licenses for Pari Mutuel Harness Horse Racing" (H. P. 610) (Presented by Mr. Heald of Union)  
(Ordered Printed)  
Sent up for concurrence.

**Public Utilities**

Bill "An Act relating to Extension of Water Service in Town of Falmouth" (H. P. 611) (Presented by Mrs. Smith of Falmouth)  
(Ordered Printed)  
Sent up for concurrence.

**Legal Affairs**

Bill "An Act Conveying Songo Lock Property to State of Maine" (H. P. 612) (Presented by Mr. Haughn of Bridgton)

Committee on Reference of Bills suggested that the Bill be referred to the Committee on State Government and printing.

(On motion of Mr. Haughn of Bridgton, referred to the Committee

on Legal Affairs, ordered printed and sent up for concurrence.)

**State Government**

Bill "An Act relating to Term of Office of Department Heads Appointed by Governor" (H. P. 613) (Presented by Mr. Reed of Woolwich)  
(Ordered Printed)  
Sent up for concurrence.

**Orders**

On motion of Mr. Hancock of Nobleboro, it was

ORDERED, that Rev. Chester Wiley of the First Baptist Church, Nobleboro, be invited to officiate as Chaplain of the House on Wednesday, April 15, 1959.

**House Reports of Committees  
Leave to Withdraw**

Mr. Harris from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Waters of Piscataquis County (H. P. 203) (L. D. 295) reported Leave to Withdraw.

Mr. Cote from the Committee on Legal Affairs reported same on Bill "An Act relating to Hours for Public Dance Halls" (H. P. 302) (L. D. 449)

Mr. Call from the Committee on Retirements and Pensions reported same on Resolve to Provide Retirement Credit for Gerald Douglas Cushing of Wilton (H. P. 364) (L. D. 523)

Reports were read and accepted and sent up for concurrence.

**Ought Not to Pass**

Mr. Curtis from the Committee on Claims reported "Ought not to pass" on Resolve to Reimburse Douglas Motor Transportation Company of Auburn (H. P. 27)

Mr. Gallant from same Committee reported same on Resolve in favor of Town of Woolwich for Aid to Henry Ehler (H. P. 237) (L. D. 348)

Mr. Johnson from same Committee reported same on Resolve to Reimburse G. A. Peterson Company of Auburn (H. P. 24) (L. D. 47)

Mr. Call from the Committee on Retirements and Pensions reported same on Resolve Providing Aid to Albina W. Farrell of Gardiner (H. P. 362) (L. D. 521)

Reports were read and accepted and sent up for concurrence.

#### Tabled and Assigned

Mr. Chapman from the Committee on Retirements and Pensions reported "Ought not to pass" on Resolve Providing for a State Pension for Jeanne L. Lebrun of Lewiston (H. P. 122) (L. D. 177)

Report was read.

(On motion of Mr. Cote of Lewiston, the Report with accompanying papers was tabled pending acceptance of the Report and specially assigned for Tuesday next.)

Mr. Edgerly from the Committee on Retirements and Pensions reported "Ought not to pass" on Resolve in favor of Miss Margaret Crosby of Bangor (H. P. 316) (L. D. 463)

Mr. Warren from same Committee reported same on Resolve Increasing State Pension for Mrs. Katie Libby of Charleston (H. P. 218) (L. D. 309)

Mr. Lindsay from the Committee on Transportation reported same on Bill "An Act relating to Speed of Certain Commercial Vehicles" (H. P. 331) (L. D. 478)

Reports were read and accepted and sent up for concurrence.

#### Tabled and Assigned

Mr. Walls from the Committee on Transportation reported "Ought not to pass" on Bill "An Act relating to Nonresident Motor Vehicle Privileges" (H. P. 332) (L. D. 479)

Report was read.

(On motion of Mr. Cousins of Bangor, the Report with accompanying papers was tabled pending acceptance of the Report and specially assigned for Thursday, February 26.)

#### Ought to Pass Printed Bills

Mr. Dufour from the Committee on Claims reported "Ought to pass" on Resolve in favor of C. A. Mason of Gorham (H. P. 280) (L. D. 847)

Mr. Johnson from same Committee reported same on Resolve in favor of the Town of Howland (H. P. 107) (L. D. 163)

Reports were read and accepted, the Resolves read once and assigned the next legislative day.

#### Passed to Be Engrossed

Mr. Ervin from the Committee on Education reported "Ought to pass" on Bill "An Act to Create a School Administrative District in the Town of Vinalhaven" (H. P. 387) (L. D. 570)

Report was read and accepted and the Bill read twice.

On motion of Mr. Maddox of Vinalhaven, under suspension of the rules, the Bill was given its third reading, passed to be engrossed and sent to the Senate.

#### Passed to Be Engrossed

Mr. Mathieson from the Committee on Education reported "Ought to pass" on Bill "An Act to Create a School Administrative District in the Town of North Haven" (H. P. 388) (L. D. 571)

Report was read and accepted and the Bill read twice.

On motion of Mr. Maddox of Vinalhaven, under suspension of the rules, the Bill was given its third reading, passed to be engrossed and sent to the Senate.

#### Ought to Pass Printed Bills (cont'd.)

Mr. Carville from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Regulating Fishing in Sawyer Pond, Piscataquis County (H. P. 201) (L. D. 293)

Report was read and accepted, the Resolve read once and assigned the next legislative day.

Mr. Dodge from the Committee On Inland Fisheries and Game reported "Ought to pass" on Bill "An Act relating to Temporary Fish and Game Wardens and Warden Commissions to Permanent Employees of Fish and Game Department" (H. P. 85) (L. D. 132)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Readfield, Mr. Dumaine.

Mr. DUMAINE: Mr. Speaker, this bill refers to making permanent wardens out of these men and in the reading of the bill itself it says without examinations. I think that this bill should be reconsidered and have them with examinations. I don't believe that we should have any law enforcement bodies that do

not have examinations in enforcing our laws in the State of Maine.

The SPEAKER: Is the gentleman making a motion at this time?

Mr. DUMAINE: To table it if I can, to get this straightened out.

The SPEAKER: A tabling motion would be in order.

Mr. DUMAINE: Table it at this time, sir.

The SPEAKER: The Chair would remind the gentleman that if this bill is allowed to take its regular course at this time whereby the Committee Report would be accepted and the bill given its first and second readings today and assigned for third reading next Tuesday, that would allow time for the gentleman to prepare and present his amendment next Tuesday without tabling the bill.

Mr. DUMAINE: I will withdraw my motion, sir.

The SPEAKER: The gentleman withdraws his tabling motion.

Thereupon, the Report was accepted, the Bill read twice and assigned for third reading the next legislative day.

The SPEAKER: At this time the Chair would request the Sergeant-at-Arms to escort off the rostrum the gentleman from Massachusetts, the Honorable Mr. Ayers.

Thereupon, Hon. J. Robert Ayers was escorted from the rostrum by the Sergeant-at-Arms amid applause of the House, the members rising.

Mr. Dodge from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Regulating Fishing in Crystal Pond, Knox County (H. P. 111) (L. D. 166)

Same gentleman from same Committee reported same on Resolve Regulating Taking of Smelts in Center Brook, Piscataquis County (H. P. 194) (L. D. 286)

Reports were read and accepted, the Resolves read once and assigned the next legislative day.

#### Tabled and Assigned

Mr. Dudley from the Committee on Inland and Fisheries and Game reported "Ought to pass" on Bill "An Act Regulating Live Bait for Fishing" (H. P. 109) (L. D. 164)

Report was read and accepted and the Bill read twice.

Mr. DUMAINE: Mr. Chairman?

The SPEAKER: The Chair recognizes the gentleman from Readfield, Mr. Dumaine.

Mr. DUMAINE: One week from today please, on this bill.

The SPEAKER: Does the Chair understand that the gentleman moves that this bill be tabled and specially assigned for one week from today?

Mr. DUMAINE: That's right.

Thereupon, the Bill was tabled pending assignment for third reading and specially assigned for Thursday, February 26.

Mr. Dudley from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Regulating Fishing in Jackson Pond, Piscataquis County (H. P. 112) (L. D. 167)

Mr. Harris from same Committee reported same on Resolve Prohibiting the Use of Live Fish as Bait in B Pond, Piscataquis County (H. P. 197) (L. D. 289)

Mr. Monroe from same Committee reported same on Resolve Regulating Fishing in Washington Pond, Knox County (H. P. 110) (L. D. 165)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in the West Branch of Pleasant River, Piscataquis County (H. P. 202) (L. D. 294)

Mr. Moore from same Committee reported same on Resolve Regulating Fishing in Lily Lake, Washington County (H. P. 289) (L. D. 436)

Mr. Wheaton from same Committee reported same on Resolve Regulating Fishing in Moosehead Lake, Piscataquis County (H. P. 200) (L. D. 292)

Mr. Cote from the Committee on Legal Affairs reported same on Bill "An Act relating to Special Town Meetings in Kittery" (H. P. 248) (L. D. 359)

Mr. Warren from the Committee on Retirements and Pensions reported same on Bill "An Act relating to Survivor Benefits and Budget Estimates under Maine State Retirement System" (H. P. 217) (L. D. 308)

Reports were read and accepted, the Bills read twice, the Resolves read once, and assigned the next legislative day.



**Tabled and Assigned**

Mr. Lindsay from the Committee on Transportation reported "Ought to pass" on Bill "An Act relating to School Bus Operators" (H. P. 329) (L. D. 476)

Report was read.

(On motion of Mr. Haughn of Bridgton, tabled pending acceptance of the Report and specially assigned for Tuesday, February 24.)

**Ought to Pass  
with Committee Amendment**

Mr. Carville from the Committee on Inland Fisheries and Game on Resolve Opening Messalonskee Stream, Kennebec County, to Ice Fishing (H. P. 36) (L. D. 56) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 36, L. D. 56, Resolve, Opening Messalonskee Stream, Kennebec County, to Ice Fishing.

Amend said Resolve in the next to last line by inserting after the words "Kennebec County" the words 'and Somerset County'.

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

Mr. Harris from the Committee on Inland Fisheries and Game on Bill "An Act relating to Taking Land for Public Access Sites to Merry-meeting Bay" (H. P. 86) (L. D. 133) 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. 86, L. D. 133, Bill, "An Act Relating to Taking Land for Public Access Sites to Merry-meeting Bay."

Amend said Act in the 7th and 8th lines by indicating the striking out of the words and punctuation "; or he may purchase, lease or take and hold," by drawing a line through said words and punctuation as follows: '; or he may purchase, lease or take and hold,'

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

Mr. Moore from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Peep Lake, Washington County (H. P. 153) (L. D. 230) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 153, L. D. 230, Resolve, Regulating Fishing in Peep Lake, Washington County.

Amend said Resolve in the 4th line by striking out the words "for trout"

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

Mr. Wheaton from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Dead Pond, Washington County (H. P. 152) (L. D. 229) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 152, L. D. 229, Resolve, Regulating Fishing in Dead Pond, Washington County.

Amend said Resolve in the 4th line by striking out the words "for trout"

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

Mr. Lantagne from the Committee on Retirements and Pensions on Resolve to Increase Retirement Benefit of Clyde P. Walker of Stratton (H. P. 46) (L. D. 66) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 46, L. D. 66, Resolve, to Increase Retirement Benefit of Clyde P. Walker of Stratton.

Amend said Resolve by striking out the figure "\$375.44" in the 4th line and inserting in place thereof the figure '\$75.44.'

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

Mr. Young from the Committee on Sea and Shore Fisheries on Bill "An Act Regulating Taking of Alewives in Town of Orland" (H. P. 123) (L. D. 178) 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. 123, L. D. 178, Bill, "An Act Regulating Taking of Alewives in Town of Orland."

Amend said Bill by inserting after the Title and before the enacting clause the following emergency preamble:

'**Emergency preamble.** Whereas, acts of the Legislature do not become effective until 90 days after the Legislature adjourns unless passed as emergencies; and

Whereas, the people of Orland should be permitted to vote and take action upon the following legislation at their annual town meeting early in March; and

Whereas, rules and regulations governing the taking of alewives should be promulgated before the beginning of the 1959 season; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately for the preservation of the public peace, health and safety; now, therefore,'

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

'**Emergency Clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.'

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

#### Passed to Be Engrossed

Bill "An Act Increasing Payments to Somerset County Law Library" (S. P. 98) (L. D. 216)

Bill "An Act Increasing Payments to Franklin County Law Library" (S. P. 99) (L. D. 217)

Bill "An Act relating to License Plates for Disabled or Paraplegic Veterans" (H. P. 229) (L. D. 319)

Resolve Repealing Provision for Compilation of Certain Decisions of Supreme Judicial Court (S. P. 101) (L. D. 219)

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

#### Amended Bills

Resolve in favor of Lawrence Babb of Augusta (S. P. 51) (L. D. 84)

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

Bill "An Act relating to Physical Examination for School Bus Operators" (H. P. 514) (L. D. 666)

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

#### Passed to Be Enacted Emergency Measure

An Act relating to Deficiency Appropriation for State Treasury (S. P. 49) (L. D. 82)

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. 134 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 Authorizing Public Utilities Commission to Determine Financial Responsibility of Motor Carriers of Passengers (S. P. 119) (L. D. 269)

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

### Passed to Be Enacted

An Act relating to Sale of Butter and Margarine under Weights and Measures Law (S. P. 20) (L. D. 1)

An Act relating to Capital Stock of Rumford Bank and Trust Company (S. P. 91) (L. D. 209)

An Act Defining Merchandise under Factor Lien Law (H. P. 83) (L. D. 130)

An Act Repealing the Advisory Committee on Budget (H. P. 100) (L. D. 147)

An Act relating to Officers of Domestic Mutual Fire Insurance Companies (H. P. 134) (L. D. 192)

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

The SPEAKER: Is there objection to taking up out of order two papers from the Senate not on the advance journal? The Chair hears none. The Clerk will proceed with the two orders.

### Senate Orders Out of Order

From the Senate: The following Order:

ORDERED, the House concurring, that the President of the Senate, the Speaker of the House, and the Senate and House Chairmen of the Joint Committee on Welfare and of the Joint Committee on Public Health be authorized and directed to engage a professional consulting firm for a pilot study for the purpose of effecting reductions in operating costs and determining the efficiency of the Health and Welfare Department. The result of this study shall be reported to the 99th

Legislature not later than April 15, 1959. The expense of this study shall not exceed \$3,000 and shall be taken from the legislative appropriation (S. P. 250)

Came from the Senate read and passed.

In the House:

The SPEAKER: Is it the pleasure of the House that this Order shall receive passage in concurrence?

The Chair recognizes the gentleman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, Ladies and Gentlemen of the House: I would like to state as briefly as possible the position of the Democratic membership of this House relative to this order and to the one which I assume will follow it.

Being responsible legislators, we naturally are interested in economy and efficiency in our state government. However, we have many reservations relative to this order. In order for a price tag of \$3,000 to be attached to this order, we believe that the people who have drafted this know what sort of an order or what sort of an investigation or a survey they intend to make. We have made an honest effort to try to find out exactly what this survey would do, and we find that we are unable to find the answer. For example, is it an accounting survey in this department? Is it a survey of a program within the department, such as the old age assistance program for example? Is it a time study, a job time study within the department? Those are the questions which we would like an answer to.

Also this survey is to give us a report by April 15th. That means that we will have by April 15th, I assume, recommendations of this auditing firm. Now these recommendations are the opinions of this firm, and it would seem to us that they would have to be interpreted and evaluated as to their being conducive to good governmental procedures. Consequently, this will take time. We definitely feel that the amount of money involved and the time involved cannot give us an adequate study.

However, this recommendation or this order definitely bears the label of the Republican party, and rather than be obstructionists, and believ-

ing in efficiency and economy in government, we are not going to oppose the measure. We do, however, have one very important suggestion which we would like to have you give careful consideration to. If this is to be a study and fresh look into these departments, because we now have on our statutes a law which would permit the Budget Department to do exactly what this order proposes, but we understand that they want a fresh outlook, a fresh survey. If this is so, then we would recommend that the firm that is hired to conduct this survey should certainly be a firm that has not evaluated either one of those departments at any time in the past. This would also give us a report that would not be a repetition of previous recommendations of these departments by a firm that has evaluated them primarily.

Consequently, I think our position is clear. We favor economy and efficiency in government. It is the manner in which this was drawn up and the time and money allotted to it that we rather question and are skeptical about. However, we do not propose to object to the passage of this measure.

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

Mr. WADE: In connection with the discussion of these Joint Orders and to make the House Republican position clear, I am going to read what I said to the Republican House Caucus a week ago last Tuesday morning:

"During the past month all of us, I am sure, have thought a lot about the cost of State Government. We have thought about it particularly perhaps when we studied the Budget Document. In this connection, a number of people have raised the question whether government is being operated as efficiently and as economically as it could and should be. They have suggested that a study be made in order to answer that question.

Preliminary investigation indicates that a pilot study of one or more major departments would show whether a broader study later would be worthwhile. It has also been determined that a national firm of public accountants with broad ex-

perience in this type of work for states and other political subdivisions could do such a study of two of our major departments, Highway and Welfare, for a total cost of not more than \$7,000.

I want to make it clear that the kind of study that is proposed is in no sense an investigation but strictly a study for the purpose of reducing operating costs and to determine the efficiency of State of Maine department operations. It has been pointed out also that such studies have been made in the past and, in the opinion of some, have resulted in worthwhile savings.

Because the order itself on a matter of this kind is brief, it requires some explanation; so it seemed desirable to refer this matter to the House Republican membership to determine first whether you favor such a program.

On the question of money to pay for such studies, we are told that the funds are available in the Legislative Expense Account. There are indications that the public believes that this Legislature is getting off to an efficient start. It is possible the knowledge that we are seeking to do what we can to have the State's business conducted efficiently and economically would confirm that opinion."

There has been some mention in the Legislative Expense Account that this might be deficit financing, and on that basis it seems to me that the question of whether this is deficit financing can be argued that our whole legislative expenditure is deficit financing to the extent that no one knows what the total cost of it will be until this session is over, but there is considerable money available for it. In view of the efficient progress that this Legislature is making and providing we continue to do so, it is entirely possible that the savings in legislative printing, clerical salaries, etc. will more than cover the cost of these proposed studies.

In these days of very expensive surveys, studies, research projects, etc., the idea of a pilot study appeals to us. In the same way that an industrial concern will try out a method or a process in a small pilot plant before committing a whole factory to an idea, it seems

prudent to find out whether worthwhile savings can be turned up in a department of two before committing the State to a full scale study of this kind.

For these reasons, the Republican membership of the House, which after all must take the responsibility for a move of this kind, does take that responsibility with every hope that the result will prove justified.

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

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: May I ask a question through the Chair to the Clerk of the House to repeat the figure and the two branches of the state government that is to be investigated?

The SPEAKER: The gentleman from Cumberland, Mr. Call, addresses a question through the Chair to the Clerk of the House who may answer. Would the gentleman restate the question?

Mr. CALL: How much was the figure quoted in the order and what two branches of state government are to be investigated?

The SPEAKER: The Chair will undertake to answer the gentleman with the gentleman's permission. The order which the Clerk read applied to the Department of Welfare, and the figure involved is \$3,000. I believe the gentleman is confused because there are two separate orders, one for each of two departments. Is the gentleman answered?

Mr. CALL: Yes.

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

Mr. JALBERT: Mr. Speaker, if the gentleman from Cumberland, Mr. Call, is confused, there might be others. I would like to ask a question also. I am fully aware that both orders appeared before the other branch and appeared in the legislative record, but isn't it the procedure to have orders, certainly of this type, reproduced and distributed?

The SPEAKER: The Chair is advised that in answer to the question of the gentleman from Lewiston, that in each individual case of each individual order, it is up to the House to decide for itself whether

or not that order is to be reproduced before any action is taken on it.

The question before the House is the question of the passage of this Order. Is the House ready for the question?

Will all those who favor the passage of this order please say aye; those opposed, no.

Thereupon, the Order was passed in concurrence on a viva voce vote.

From the Senate: The following Order:

ORDERED, the House concurring, that the President of the Senate, the Speaker of the House, and the Senate and House Chairmen of the Joint Committee on Highways be authorized and directed to engage a professional consulting firm for a pilot study for the purpose of effecting reductions in operating costs and determining the efficiency of the Highway Department. The results of this study shall be reported to the 99th Legislature not later than April 15, 1959. The expenses of this study shall not exceed \$4,000 and shall be taken from the Legislative appropriation (S. P. 251)

Came from the Senate read and passed.

In the House:

The SPEAKER: Is it the pleasure of the House that this order receive passage in concurrence?

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

Mr. JALBERT: Mr. Speaker, also another question that I will address to the Speaker, being fully aware that this order has been prepared and presented before the membership of the other body. It is on the legislative record, isn't it the procedure to have orders of this type usually reproduced and distributed?

The SPEAKER: The Chair will answer the gentleman from Lewiston as he answered the first question of the gentleman. In the case of each individual order, it is up to the House to decide for itself whether or not it wants any given order reproduced for distribution before taking action on it. The Chair would further advise the gentleman from Lewiston that if the House had not by unanimous consent taken up these orders out of order they would have appeared in the advance journal for the day.

The question before the House is on the passage of this Order. Is the House ready for the question?

Will those who favor the passage of this order please say aye; those opposed, no.

Thereupon, the Order was passed in concurrence on a viva voce vote.

#### Orders of the Day

The SPEAKER: Under Orders of the Day the Chair now lays before the House the first tabled and today assigned matter on Page 9 of the calendar, House Divided Report of the Committee on Sea and Shore Fisheries on Bill "An Act Repealing the Two Inch Clam Law", House Paper 177, Legislative Document 248, Majority "Ought to pass" Report and Minority "Ought not to

pass" Report, tabled by the gentleman from Scarborough, Mr. Clark, pending the motion of the gentleman from Freeport, Mr. Crockett, that the Minority "Ought not to pass" Report be accepted.

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

Thereupon, Mr. Crockett of Freeport withdrew his pending motion and, on further motion by that gentleman, the Report and Bill were recommitted to the Committee on Sea and Shore Fisheries and sent up for concurrence.

On motion of Mr. Dennison of East Machias,

Adjourned until Tuesday, February 24, at ten o'clock in the morning.