

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, March 12, 1959

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

Prayer by the Rev. Mr. James Waugh of Hallowell.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act relating to Dedicated Revenues in Insurance Department" (S. P. 398) (L. D. 1166)

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 relating to Minimum Sick Leave for Teachers" (S. P. 399) (L. D. 1167)

Came from the Senate referred to the Committee on Education.

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

From the Senate:

Bill "An Act relating to Cost of Snow Removal on the Interstate System" (S. P. 400) (L. D. 1168)

Bill "An Act relating to Outdoor Advertising Devices on the Interstate System" (S. P. 401) (L. D. 1169)

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 Private Shooting Preserves" (S. P. 402) (L. D. 1170)

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 to Correct Errors and Inconsistencies in the Public Laws" (S. P. 403) (L. D. 1171)

Came from the Senate referred to the Committee on Judiciary.

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

From the Senate:

Bill "An Act relating to Part-time Work Permits for Minors" (S. P. 404) (L. D. 1172)

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 relating to Barber Apprentices, Barber Instructors and Barber Shop Licenses" (S. P. 405) (L. D. 1173)

Bill "An Act to Revise Certain Laws of the Department of Institutional Service" (S. P. 406) (L. D. 1174)

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 Survivor Benefits for all State Employees" (S. P. 407) (L. D. 1175)

Came from the Senate referred to the Committee on Retirements and Pensions.

In the House, referred to the Committee on Retirements and Pensions in concurrence.

From the Senate:

Bill "An Act relating to Automobile Travel by State Employees" (S. P. 408) (L. D. 1176)

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

In the House, referred to the Committee on State Government 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 the Bank Commissioner, Advisory Committee and Department Regulations" (S. P. 228) (L. D. 611)

Report of same Committee reporting same on Bill "An Act relating to Bank Records" (S. P. 230) (L. D. 613)

Report of the Committee on Highways reporting same on Bill "An

Act Clarifying Name of Federal Law Relating to Federal Highway Funds" (S. P. 188) (L. D. 484)

Report of same Committee reporting same on Resolve Designating Bangor-Brewer Bridge as "Joshua L. Chamberlain Bridge" (S. P. 204) (L. D. 543)

Report of the Committee on Taxation reporting same on Bill "An Act relating to Part Payment of Delinquent Property Taxes in Unorganized Territory" (S. P. 121) (L. D. 273)

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

In the House, Reports were read and accepted in concurrence, the Bills read twice, Resolve read once, and tomorrow assigned.

Ought to Pass with Committee Amendment

Report of the Committee on Taxation on Bill "An Act relating to Refunds of Sales Tax" (S. P. 181) (L. D. 424) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 181, L. D. 424, Bill, "An Act Relating to Refunds of Sales Tax."

Amend said Bill by inserting in the 14th line after the word "overpayment" the underlined words and punctuation:

'unless written petition therefor, setting forth the grounds upon which refund is claimed, shall have been filed with the Tax Assessor within that period'

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

Non-Concurrent Matter

Bill "An Act Repealing the Bounty on Porcupine" (H. P. 809) (L. D. 1164) which was referred to the

Committee on Agriculture in the House on March 10.

Came from the Senate referred to the Committee on Inland Fisheries and Game in non-concurrence.

In the House:

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

Mr. BROCKWAY: Mr. Speaker and Members of the House: I move that we insist.

The SPEAKER: The gentleman from Milo, Mr. Brockway, moves that the House insist. Is this the pleasure of the House?

The motion prevailed.

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

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

The SPEAKER: The gentleman would have to move reconsideration of the action of the House whereby it passed the motion to insist.

Mr. DUDLEY: Mr. Speaker, then I move reconsideration.

The SPEAKER: The gentleman from Enfield, Mr. Dudley, moves that the House reconsider its action whereby it passed the motion of the gentleman from Milo, Mr. Brockway, that the House insist.

Will those who favor the motion for reconsideration please say "Aye"; those opposed, "No."

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

Non-Concurrent Matter

Resolve Opening Cross Lake, Aroostook County, to Ice Fishing for Cusk (H. P. 113) (L. D. 168) on which the House accepted the Minority "Ought to pass" Report of the Committee on Inland Fisheries and Game and passed the Resolve to be engrossed as amended by House Amendment "A" on March 10.

Came from the Senate with the Majority "Ought not to pass" Report accepted in non-concurrence.

In the House: On motion of Mr. Johnson of Stockholm, the House voted to insist.

Petitions, Bills and Resolves Requiring Reference

The following 17 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

Resolve Appropriating Moneys to Aid Construction of Dormitory at Higgins Classical Institute (H. P. 853) (Presented by Mrs. Harrington of Patten)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act Restating the Law Governing Insurance Agents, Brokers and Fees" (H. P. 854) (Presented by Mr. Dennett of Kittery)

(750 copies Ordered Printed)

Bill "An Act relating to Multiple Peril Fire Insurance Policies" (H. P. 855) (Presented by Mr. Dennett of Kittery)

(Ordered Printed)

Bill "An Act to Revise the Fraternal Beneficiary Association Law" (H. P. 856) (Presented by Mr. Earles of South Portland)

(Ordered Printed)

Sent up for concurrence.

Election Laws

Bill "An Act Revising Certain Election Laws" (H. P. 857) (Presented by Mr. Cousins of Bangor)

(750 copies Ordered Printed)

Bill "An Act relating to Time of Enrollment of Voters" (H. P. 858) (Presented by Mr. Dostie of Winslow)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Revising the Charter of the Yorkshire Municipal Court" (H. P. 859) (Presented by Mr. Dennett of Kittery)

(Ordered Printed)

Bill "An Act relating to Parking in Municipalities" (H. P. 860) (Presented by Mr. Earles of South Portland)

(Ordered Printed)

Bill "An Act relating to Powers of Sheriffs to Arrest without a Warrant" (H. P. 861) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act Increasing Burial Expenses under Workmen's Compensation Act" (H. P. 862) (Presented by Mr. Dow of Eliot)

(750 copies Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Powers of York Beach Village Corporation" (H. P. 863) (Presented by Mr. Dow of Eliot by request)

(Ordered Printed)

Bill "An Act Repealing the York Beach Village Corporation" (H. P. 864) (Presented by same gentleman by request)

(Ordered Printed)

Bill "An Act relating to Residence Requirement for Voters in City of Lewiston" (H. P. 865) (Presented by Mr. Jacques of Lewiston)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act Increasing Salary of Attorney General" (H. P. 866) (Presented by Mr. Dennett of Kittery)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act Increasing Sales Tax" (H. P. 867) (Presented by Mr. Baxter of Pittsfield)

(750 copies Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Payments by Town of York to York Beach Village Corporation" (H. P. 868) (Presented by Mr. Dow of Eliot by request)

Committee on Reference of Bills suggested that the Bill be referred to the Committee on Towns and Counties and printing.

(On motion of Mr. Dow of Eliot, referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.)

Towns and Counties

Bill "An Act relating to Effective Date for Salary Increase for County Officers and Judges and Records

of Municipal Courts" (H. P. 869)
(Presented by Mr. Hobbs of Acton)
(Ordered Printed)

Sent up for concurrence.

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

Orders

On motion of Mr. Brown of Ellsworth, it was

ORDERED, that Mr. Graves of Mount Desert be excused from attendance for the duration of his illness.

On motion of Mrs. Baker of Orrington, it was

ORDERED, that Rev. Gerald B. Kinney of the Methodist Church, Orrington, be invited to officiate as Chaplain of the House on Wednesday, April 1, 1959.

Tabled Temporarily

Mr. Rollins of Belfast presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the President of the Senate, the Speaker of the House, and the Senate and House Chairmen of the Joint Committee on Education be authorized and directed to engage a professional consulting firm for a study for the purpose of effecting reductions in operating costs and determining the efficiency of the operation of the University of Maine. The results of this study shall be reported to the 99th Legislature not later than April 27th. The expense of this study shall not exceed \$4,000 and shall be taken from the legislative appropriation.

The purpose of this Order is to obtain facts from the Legislature upon which the Legislature may determine to what extent the University of Maine should expand in the best interests of the people of Maine and upon which the Legislature may rely in order for it to vote intelligently upon the bond issue for the University of Maine now before the 99th Legislature.

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

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

Mr. EMMONS: Mr. Speaker, I move that this be laid upon the table until it can be reproduced and distributed.

The SPEAKER: The gentleman from Kennebunk, Mr. Emmons, moves that this Order be tabled pending reproduction and distribution to the members' desks. Is this the pleasure of the House?

Mr. ROLLINS: Mr. Speaker.

The SPEAKER: The Chair must remind the gentleman that debate is not in order on this motion.

Mr. ROLLINS: I don't intend to debate, sir, I call for a division on that motion.

The SPEAKER: The question before the House is the motion of the gentleman from Kennebunk, Mr. Emmons, that this Order be tabled pending reproduction and distribution to the members' desks. A division has been requested.

Will all those who favor the tabling motion please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred one having voted in the affirmative and sixteen in the negative, the motion prevailed and the Order was so tabled.

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

Mr. JALBERT: Mr. Speaker, for a point of information, if the Order is reproduced before we adjourn is it then to be taken off the table?

The SPEAKER: The motion did not include any specific time for the reproduction but the Chair had assumed that it would be reproduced and distributed for tomorrow's session.

The House may be at ease.

House at Ease

Called to order by the Speaker.

The SPEAKER: The Chair would advise the House that the Order which has just been tabled will be reproduced and distributed immediately, and the gentleman from Kennebunk, Mr. Emmons, informs the Chair that he will remove it from the table later in this morning's session.

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

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

House Reports of Committees Leave to Withdraw

Mr. Haughn from the Committee on Public Utilities on Bill "An Act relating to Fluoridation of Public Water Supplies" (H. P. 166) (L. D. 240) reported Leave to Withdraw.

Mr. Dumaine from the Committee on Transportation reported same on Bill "An Act relating to Application of Splash Guard Law for Certain Trucks" (H. P. 622) (L. D. 890)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Dufour from the Committee on Claims reported "Ought not to pass" on Resolve in favor of Jarvis Hanson of New Brunswick, Canada (H. P. 484), as it is covered by other legislation

Same gentleman from same Committee reported same on Resolve in favor of Vital E. Violette of Van Buren (H. P. 486)

Same gentleman from same Committee reported same on Resolve in favor of Clarence Ricker of Clinton (H. P. 535) (L. D. 770)

Mr. Kennedy from same Committee reported same on Resolve to Reimburse Mrs. George Dumond of New Canada Plantation for Beaver Damage (H. P. 537) (L. D. 772)

Mr. Carville from the Committee on Inland Fisheries and Game reported same on Resolve Regulating Fishing in Crosby Pond, Franklin County (H. P. 553) (L. D. 788)

Mr. Dudley from same Committee reported same on Bill "An Act relating to Field Trials for Beagle Hounds" (H. P. 582) (L. D. 829)

Same gentleman from same Committee reported same on Bill "An Act relating to Special Dog Training Areas" (H. P. 607) (L. D. 867)

Mr. Harris from same Committee reported same on Bill "An Act Increasing Bounty on Bobcat in Cer-

tain Counties" (H. P. 545) (L. D. 780)

Reports were read and accepted and sent up for concurrence.

Resolve Substituted for Report

Mr. Harris from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Opening Big Pleasant Lake and Spider Lake in Piscataquis County to Ice Fishing (H. P. 157) (L. D. 234)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Ashland, Mr. Prue.

Mr. PRUE: Mr. Speaker, I hate to take issue with the Fish and Game Commission on this Bill but these two lakes, Spider Lake and Pleasant Lake, are thirty-five or forty miles up in the woods and the Fish and Game Club up in that area, and also people from Caribou and the other sections, would like to have these lakes opened, and I checked with Mr. Bond of the Fish and Game Department and they have no objections. The biologists say they have no objections to it so I therefore would like to substitute the Resolve for the Report.

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

Mr. HARRIS: Mr. Speaker, I was in the Fish and Game Department yesterday, talking with Mr. Bond on these two bodies of water, and they gave me to understand that they were against opening it to ice fishing when it was stocked or filled with game fish, trout and salmon. Now I do not like to disagree with the gentleman from Ashland, Mr. Prue, and if he can get the bill substituted for the report that is perfectly all right with me, but that is what I was given to understand, that they objected. Now there seems to be a misunderstanding there somewhere.

The SPEAKER pro tem: The gentleman from Ashland, Mr. Prue, has moved that the Resolve be substituted for the Report. Is the House ready for the question?

A viva voce vote being taken, the motion prevailed, and the Resolve was substituted for the Report.

Thereupon, the Resolve was given its first reading and assigned for second reading tomorrow.

Ought Not to Pass (Cont'd.)

Mr. Wheaton from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relating to Exhibiting Hunting Licenses on Request" (H. P. 193) (L. D. 285)

Same gentleman from same Committee reported same on Bill "An Act relating to Hunting by Archery Licensees" (H. P. 546) (L. D. 731)

Mr. Dunn from the Committee on Transportation reported same on Bill "An Act relating to Definition of Gross Weight under Motor Vehicle Law" (H. P. 621) (L. D. 889)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed Tabled and Assigned

Mr. Dumais from the Committee on Transportation on Bill "An Act relating to Splash Guards for Certain Trucks" (H. P. 513) (L. D. 726) reported same in a new draft (H. P. 870) (L. D. 1215) under same title and that it "Ought to pass"

Report was read.

(On motion of Mr. Weston of Farmingdale, the Report with accompanying papers was tabled pending acceptance of the Report and specially assigned for Wednesday, March 18.)

Mr. Dunn from the Committee on Transportation on Bill "An Act Providing for Registration of Stock Race Cars" (H. P. 457) (L. D. 663) reported same in a new draft (H. P. 871) (L. D. 1216) under same title and that it "Ought to pass"

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

Ought to Pass Printed Bills

Mr. Edmunds from the Committee on Agriculture reported "Ought to pass" on Bill "An Act relating to Fees of Licensed Milk Dealers on Certain Milk" (H. P. 526) (L. D. 761)

Mr. Gallant from the Committee on Claims reported same on Resolve Paying to the Estate of Ray E. Gordon Salary Earned by Ray E. Gordon (H. P. 488) (L. D. 1217)

Mr. Johnson from same Committee reported same on Resolve to Reimburse the Town of Jackson for Aid to Louise M. Tilton (H. P. 279) (L. D. 411)

Same gentleman from same Committee reported same on Resolve to Reimburse New Canada Plantation for Aid Extended to Adrien Saucier and Family (H. P. 536) (L. D. 771)

Mr. Rowe from the Committee on Education reported same on Bill "An Act to Create a School Administrative District in Allagash Plantation" (H. P. 519) (L. D. 754)

Mr. Carville from the Committee on Inland Fisheries and Game reported same on Resolve Opening Sheepscot Lake, Waldo County, to Ice Fishing for Game Fish (H. P. 496) (L. D. 709)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Gull Pond, Franklin County (H. P. 548) (L. D. 783)

Mr. Dudley from same Committee reported same on Resolve Regulating Fishing in Maranacook Lake, Kennebec County (H. P. 196) (L. D. 288)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Haley Pond, Franklin County (H. P. 549) (L. D. 784)

Mr. Moore from same Committee reported same on Resolve Regulating Fishing in Wyman Lake, Somerset County (H. P. 547) (L. D. 782)

Mr. Wheaton from same Committee reported same on Resolve Establishing Daily Limit of Trout on Ledge Pond, Charlotte Township, Washington County (H. P. 498) (L. D. 711)

Mrs. Kilroy from the Committee on Public Utilities reported same on Bill "An Act Clarifying Law Relating to Location of Ways Crossing Railroad Tracks" (H. P. 726) (L. D. 1031)

Same member from same Committee reported same on Bill "An Act relating to Collection of Water Resources Information" (H. P. 727) (L. D. 1032)

Mr. Philbrick from same Committee reported same on Bill "An Act relating to Transportation of Baggage, Mail and Express by Motor Buses" (H. P. 696) (L. D. 996)

Mr. Pike from same Committee reported same on Bill "An Act relating to Chemical Treatment to Bushes Adjacent to Railroad Crossings" (H. P. 728) (L. D. 1033)

Mr. Walter from same Committee reported same on Bill "An Act relating to Bridge Guards above Railroad Tracks" (H. P. 668) (L. D. 960)

Reports were read and accepted, the Bills read twice, Resolves read once and tomorrow assigned.

Tabled and Assigned

Mr. Walls from the Committee on Transportation reported "Ought to pass" on Bill "An Act Requiring Certain Trucks to Carry Flares" (H. P. 705) (L. D. 1005)

Report was read and accepted and the Bill read once.

(On motion of Mr. Hardy of Hope, the Report with accompanying papers was tabled pending second reading and specially assigned for Thursday, March 19.)

Ought to Pass with Committee Amendment

Mr. Johnson from the Committee on Claims on Resolve in favor of Arthur Robbins of Gouldsboro (H. P. 539) (L. D. 774) 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. 539, L. D. 774, Resolve in Favor of Arthur Robbins of Gouldsboro.

Amend said Resolve by striking out the figure "\$1,000." in the 2nd line and inserting in place thereof the figure "\$500."

Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow.

At this point, Speaker Edgar returned to the rostrum.

SPEAKER EDGAR: The Chair would like to thank the gentleman from Kennebunk, Mr. Emmons, for

his excellent services as Speaker pro tem.

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

Mr. Lindsay from the Committee on Transportation on Bill "An Act relating to Fees for Registration of Motor Vehicles" (H. P. 572) (L. D. 805) 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. 572, L. D. 805, Bill, "An Act Relating to Fees for Registration of Motor Vehicles."

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

'Sec. 3. Effective date. The provisions of this act shall be effective for the calendar year 1960 and for the subsequent years until changed by Legislative Enactment.'

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

Divided Report Tabled and Assigned

Majority Report of the Committee on Transportation reporting "Ought to pass" on Bill "An Act relating to Operation of Farm Trucks" (H. P. 459) (L. D. 665)

Report was signed by the following members:

Messrs. COLE of Waldo
PARKER of Piscataquis
DUNN of Kennebec
— of the Senate.

Messrs. HOBBS of Acton
LINDSAY of Brewer
DUMAINE of Readfield
LEBEL of Van Buren
WALLS of Millinocket
— of the House.

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

Report was signed by the following members:

Messrs. DUNN of Poland
DUMAIS of Lewiston
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Poland, Mr. Dunn.

Mr. DUNN: Mr. Speaker, I move this item thirty-six be laid on the table unassigned.

The SPEAKER: With respect to Bill "An Act relating to Operation of Farm Trucks", the gentleman from Poland, Mr. Dunn, moves that this item and both reports be tabled unassigned pending acceptance of either report. Is this the pleasure of the House?

Mr. CURTIS of Bowdoinham: Mr. Speaker, please—

The SPEAKER: The Chair must remind the gentleman debate is not in order.

Mr. CURTIS: Mr. Speaker, I am not rising for debate, I just didn't want it unassigned. I wish that the gentleman might assign it.

The SPEAKER: The Chair would inquire of the gentleman from Poland, Mr. Dunn, whether he insists on tabling unassigned or whether he would be willing to assign this Bill?

Mr. DUNN: Mr. Speaker, I would be willing to assign it one week from today.

The SPEAKER: The Chair now understands that the gentleman from Poland, Mr. Dunn, moves that this Bill and both Reports be tabled and especially assigned for one week from today pending acceptance of either Report. Is this the pleasure of the House?

The motion prevailed.

Passed to Be Engrossed

Bill "An Act to Incorporate the New England Corporation" (S. P. 154) (L. D. 375)

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

Bill "An Act relating to Digging Out Foxes" (S. P. 161) (L. D. 383)

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

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

Mr. BROCKWAY: Mr. Speaker and Members of the House: I move item two be tabled unassigned. I

would be willing it be given its third reading.

The SPEAKER: The Chair would advise the gentleman that it has had its third reading.

The Chair now understands that the gentleman from Milo, Mr. Brockway, moves that the Bill "An Act relating to Digging Out Foxes" be tabled unassigned pending passage to be engrossed. Is this the pleasure of the House?

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

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

Bill "An Act relating to Distribution and Sale of Publications Depicting Crime and Torture" (S. P. 249) (L. D. 632)

Bill "An Act relating to Maturity Date of Bonds of Jay School District" (S. P. 263) (L. D. 676)

Bill "An Act to Ratify and Confirm the Incorporation of Woodfords Corner Congregational Parish Society" (S. P. 308) (L. D. 854)

Bill "An Act relating to Residence of Judge of Eastport Municipal Court" (H. P. 395) (L. D. 578)

Resolve Regulating Fishing in Heald Pond, Somerset County (S. P. 93) (L. D. 211)

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

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

Bill "An Act relating to Dragging for Scallops in Bagaduce River and Bay in Hancock County" (H. P. 365) (L. D. 524)

Resolve Authorizing Arthur W. Bushey and Alice Bushey, John Tibbetts, Archie Leeman, and Oscar Bradstreet, all of Palermo, to Sue the State of Maine (S. P. 258) (L. D. 671)

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

Passed to Be Enacted Emergency Measure

An Act to Authorize the Municipalities of Eastport, Perry, Pembroke and Dennysville to Form a School Administrative District (H. P. 518) (L. D. 753)

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. 135 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 to Authorize the Municipalities of Codyville Plantation, Danforth, No. 21 Plantation, Princeton, Talmadge, Vanceboro, Waite and Weston to Form a School Administrative District (H. P. 520) (L. D. 755)

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. 136 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 to Incorporate the South Berwick Water District (H. P. 781) (L. D. 1040)

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. 136 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 Eliminating Necessity for Sheriff's Apartment in Cumberland County Jail (S. P. 358) (L. D. 1041)

An Act relating to Rest Periods for Female Employees (H. P. 162) (L. D. 238)

An Act relating to Unfair Wage Agreements (H. P. 298) (L. D. 445)

Finally Passed

Resolve Providing Retirement Benefit Increase for Miles McLaughlin of Augusta (S. P. 235) (L. D. 618)

Resolve Providing Retirement Benefit Increase for George P. Campbell of Augusta (S. P. 236) (L. D. 619)

Resolve Providing Retirement Benefit Increase for Helen D. Perry of Rockland (S. P. 294) (L. D. 818)

Resolve Providing for Retirement Benefit Increase for Mary E. C. Bridgham of Jonesboro (S. P. 295) (L. D. 819)

Resolve Providing Retirement Benefit Increase for Carrie M. Longfellow of Machias (S. P. 296) (L. D. 820)

Resolve to Repeal Certain Special Resolve Pensions (H. P. 594) (L. D. 840)

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

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair lays before the House item number one under tabled and today assigned matters on page 9 of the House Calendar, House Report "Ought not to pass" of the Committee on Transportation on Bill "An Act relating to Nonresident Motor Vehicle Privileges", House Paper 332, Legislative Document 479, tabled on February 26 by the gentleman from Brunswick, Mr. Lacharite, pending acceptance of the Report; and the Chair recognizes that gentleman.

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

The SPEAKER: The Chair now lays before the House the second tabled and today assigned matter, Bill "An Act relating to Settlements or Releases from Injured Persons Confined in Hospitals", House Paper 56, Legislative Document 78, tabled on March 5 by the gentleman from Lee, Mr. Frazier, pending first

reading; and the Chair recognizes that gentleman.

Mr. FRAZIER: Mr. Speaker, I now move that this bill be given its first reading.

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

Mr. BERMAN: Mr. Speaker, I would like to speak briefly on this bill, Legislative Document 78.

The SPEAKER: The gentleman may proceed.

Mr. BERMAN: Mr. Speaker and Members of the House: This bill regards the injured person who is confined to a hospital following an automobile accident or a similar accident. The bill in and of itself merely gives the person, the injured person, a chance to regain his senses before he will be required or before a statement or a release that he may give and sign in the hospital can be held to be valid.

The bill itself has the wholehearted support of the ten attorneys on the Judiciary Committee. It is the contention of the proponents of this bill that there would be absolutely no harm to anyone if an injured person is allowed to wait until he gets out from under the ether or regains his senses following an accident. That abuses do exist goes without saying, the abuses are not too prevalent, but there are abuses in the State of Maine concerning the insurance adjuster or the attorney that runs into a hospital following an accident and obtains a statement from an injured person. Again, no one would be hurt by this bill because it merely gives a man a chance to get out from under the ordeal of his injury before he discusses business.

The State of Massachusetts has this bill and the State of New York has a similar bill. The injured person is faced with the primary problem of regaining his health or regaining his composure. It is our contention and it is my contention that the injured party is at a tremendous disadvantage, that he should not be confronted with technical questions or legal questions, at least until he has a chance to regain somewhat of his health. The human system, the human body, reacts to injuries in various manner. The hospital would possibly administer drugs or other medical aid to assist the person.

He may be in a cast, he may be bandaged. The human body we all know is not a machine. It takes some little time for a person to get over the initial shock of a broken leg, a fractured back or a badly lacerated face, cuts and bruises or perhaps a fractured skull or concussion. It is my humble request that this Legislature doesn't allow the unfair battle between the trained lawyer or the trained insurance adjuster on the one side of the bed and the injured patient who is in bed, or the injured pedestrian, who is in the bed and who has been hurt.

There is no question that an injured person is worried about finances when he is hurt. His first thought is who is going to pay bills or what am I going to do or who is going to take care of my family. It is human nature that the injured person will want to cooperate with a person carrying a brief case who comes into the hospital and talks with him. He will want to be overly cooperative with that person because he thinks that person is going to help him. The adjuster or the lawyer in some cases will befriend the injured person and the patient will want to be befriended because he will want to know what is going to happen to him financially. He will be overly anxious to sign a statement that in many, many cases he never reads. We have found statements popping up two and three pages long on the yellow long-sized paper that is signed by the patient and he will swear that he doesn't remember it. He will remember somebody coming in to talk with him, and if he does remember signing it, certainly doesn't know of the technical things that may be in there or the technical admissions that he might have made. The man or the woman, the patient, wouldn't be in the hospital unless he were hurt. We feel that his condition merits protection in this little respect. The language that would be used by a trained investigator would be unfamiliar to the patient and he would be apt to assist and to sign something that he really hasn't read and that he really doesn't understand.

This bill would not prohibit him from discussing the case in due season. It puts a time requirement at least while he is in the hospital and

this bill as it is written has a thirty-day requirement. If the man is home, if the man is better and is well enough to be home, this bill would not apply, but a man isn't in the hospital unless he has to be there. It costs money to stay in the hospital; hospitals are overcrowded, they don't keep injured people unless they have reason to be there. And it is the purpose of this bill to give the fellow who is knocked down a break. He will be able to give all the information that is required when he gets on his feet and when he gets out from under the ordeal and the ether so to speak or the violent aftereffects of an injury.

It is my request that this body give its support to the "Ought to pass" Report as passed up from the Committee on Judiciary. The Committee considered this bill quite carefully. The bill was filed early in the session on January 20th, it was heard on February 4th, and it was not reported out until about a week ago. The Committee discussed the bill in great detail, and its unanimous report is that this bill ought to pass. Thank you.

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

Mr. CROCKETT: Mr. Speaker and Ladies and Gentlemen of the House: I am not prepared this morning to debate this bill with my colleague, but however, I have received some information where this is an important bill to the people back home and to everybody in the State of Maine, I therefore ask for the privilege to table this bill for one week from today.

The SPEAKER: The question now before the House is the motion of the gentleman from Freeport, Mr. Crockett, that this Bill "An Act relating to Settlements or Releases from Injured Persons Confined in Hospitals", House Paper 56, Legislative Document 78, be tabled and specially assigned for one week from today pending the motion of the gentleman from Lee, Mr. Frazier, that the Bill be given its first reading. Will those who favor the tabling motion please say aye; those opposed, no.

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

Thereupon, the Bill was read twice and tomorrow assigned.

The SPEAKER: The Chair now lays before the House the third tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Resolve Opening Sand Pond, Oxford County to Ice Fishing," House Paper 494, Legislative Document 707, tabled on March 6 by the gentleman from Bridgton, Mr. Haughn, pending acceptance of the Report; and the Chair recognizes that gentleman.

Mr. HAUGHN: Mr. Speaker and Members of the House: I now have information pertaining to this bill which was not available at the hearing. I have received permission from the House and the unmentionable body Chairmen of the Committee, and I would now move that this be recommitted back to the Committee, and the same thing will hold true for the next following item, but item three I move for recommitment.

The SPEAKER: The gentleman from Bridgton, Mr. Haughn, moves that this Resolve and the Report be recommitted to the Committee on Inland Fisheries and Game. Is this the pleasure of the House?

The motion prevailed and the Resolve and Report were recommitted to the Committee on Inland Fisheries and Game and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the fourth tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Resolve Opening Hancock Pond, Oxford and Cumberland Counties to Ice Fishing, House Paper 493, Legislative Document 706, tabled on March 6 by the gentleman from Bridgton, Mr. Haughn, pending acceptance of the Report; and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Haughn of Bridgton, the Resolve and Report were recommitted to the Committee on Inland Fisheries and Game and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the fifth ta-

bled and today assigned matter, Bill "An Act relating to Residence Requirements in Public Assistance", House Paper 577, Legislative Document 810, tabled on March 10 by the gentlewoman from Presque Isle, Mrs. Christie, pending third reading.

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

Mr. WILLIAMS: Mr. Speaker and Members: I hate to be in the position of opposing the vote of a Committee, but people in my district are disturbed over the impact of this bill, it reduces the time of residence for public assistance from five years to one year. This five-year time has been in existence for a good many years. I checked with our town manager who is a former president of the Maine Municipal Association; he is opposed to it and he told me the association went into this matter a few years ago and decided to oppose any change. The finances in many of our small towns are in a very delicate balance. They are able to operate under the present law and no one can see the impact of this law on these small towns. I can see no valid reason for the change.

I now move for the indefinite postponement of this act and ask for a division.

The SPEAKER: The gentleman from Hodgdon, Mr. Williams, moves the indefinite postponement of Bill "An Act relating to Residence Requirements in Public Assistance" and all accompanying papers.

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

Mr. PLANTE: Mr. Speaker and Members of the House: On the outset let me point out that this bill is greatly misunderstood. First of all it does not deal purely with public assistance. Other speakers this morning will give you some more facts pertaining to this later on.

I would like to stress that it pertains purely to requirements for old age assistance, aid to dependent children and aid to the blind. The additional money needed for the aid to the blind and aid to dependent children can be absorbed by the current budgetary request of the Health and Welfare Department. Now in the case of requisites for old age assistance, I would like to read some

sections and parts of Chapter 25. First in Section 1 it specifies that an individual must be sixty-five years of age or more. The second section has been amended, and that reads: has not sufficient income or other resources to provide a reasonable subsistence compatible with decency and health. Generally they use \$500 as a figure before they consider an individual indigent. He must have less than \$500, and actually not enough income to meet the basic necessities.

Now what would this change mean? First of all if we were permitted to change this section 3 of chapter 25 we would be able to receive from Federal funds \$360,000 which we currently cannot receive. Why we cannot receive this money is simply because under the present law under general relief the State of Maine will pay indigent persons through the town purely on state dollar for dollar. If the law was changed we could receive from the Federal Government on a four to one ratio some assistance on these indigent people.

Now this will not bring to the State of Maine a flock of elderly people over 65 years of age to benefit under our old age assistance program. I would like to point out that every state in the United States but Vermont has a higher average grant than we have in the State of Maine. In addition, if people desired to move from one state to another, these people who are 65 years of age to receive old age assistance, I am sure that they would stop in the mother state of Massachusetts before coming to Maine, because the State of Massachusetts pays twice as much money, over twice as much money as the State of Maine does for old age assistance.

I sincerely hope that the motion to indefinitely postpone does not prevail, and beforehand I would like to point out, that this does not benefit outsiders. It benefits State of Maine residents, people who not knowing, left the State for a few years after living here all their lives and they come back and try to get old age assistance after they become indigent and they cannot do so because they have been out of the State for a four or five year period. Thank you.

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

Mr. STORM: Mr. Speaker and Members of the House: I rise to try to clear up some misunderstandings that I think are prevalent in regard to this bill under discussion. A great many people have misconstrued this as an attempt to interfere with the settlement laws of the State of Maine. This does not in any way, let me repeat, it does not affect the settlement laws as relating to eligibility for local assistance. The gentleman from Old Orchard Beach, Mr. Plante, who has just spoken, has mentioned that this applies to the three categories of old age assistance, aid to the blind and aid to the disabled. As far as my friend from Hodgdon, Mr. Williams, being concerned about the effect on the local communities, it is my decided opinion that this would be a benefit to the small communities.

I am a member of the Board in our own town and I have discussed this thoroughly with our town manager, who is very familiar with the administration of all the assistance programs, and we agree that in many cases this would ease up on the local communities who might if these people are in distress and called on, the only solution that we have is to put them on town relief, and immediately of course they then are pauperized. Once they are pauperized it is very hard to fit them into any of these programs. Although the accepting of Federal money can sometimes be an unmixed blessing to a certain extent, I feel that whatever Federal and State money is available here will certainly relieve the local communities of a great number of cases, and I for that reason am heartily in accord with the bill, and it was heard before our Committee and we unanimously agreed that it ought to pass, and I sincerely hope that the motion of the gentleman from Hodgdon, Mr. Williams, does not prevail.

The SPEAKER: The Chair recognizes the gentlewoman from Patten, Mrs. Harrington.

Mrs. HARRINGTON: Mr. Speaker, there seems to be a lot of misunderstanding about this. There was no opposition at the hearing. Owing to all this misunderstanding, I move

that this be retabled unassigned for further study.

The SPEAKER: The question now before the House is the motion of the gentlewoman from Patten, Mrs. Harrington, that Bill "An Act relating to Residence Requirements in Public Assistance" and all accompanying papers be tabled unassigned pending the motion of the gentleman from Hodgdon, Mr. Williams, that the Bill and all accompanying papers be indefinitely postponed. Will those who favor the tabling motion please say aye; those opposed, no.

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

The SPEAKER: The question now before the House is still the motion of the gentleman from Hodgdon, Mr. Williams, that the Bill and all accompanying papers be indefinitely postponed.

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

Mr. KNIGHT: Mr. Speaker and Ladies and Gentlemen of the House: I wish to go on record in favor of the unanimous Committee Report "Ought to pass". I think that we should do what we can for our aged. Certainly we are doing little enough as it is. I would also move a division on this question.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. Hendsbee.

Mr. HENDSBEE: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the board in my town, I discussed this bill with our town manager, and I feel that I am justified in saying that we have one of the most outstanding town managers in the State of Maine because she happens to be a lady, and I can see nothing wrong with this bill at all. There is some help there for the old people, and they certainly need it and all we have got to do is to get it for them, and I would like to go along with the preceding speakers, the gentleman, Mr. Storm and the gentleman from Old Orchard, Mr. Plante.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Hodgdon, Mr. Williams, that Bill "An Act relating to Residence Requirements in Public Assistance", House Paper 577, Legislative Document 810, and all

accompanying papers be indefinitely postponed. A division has been requested.

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

A division of the House was had.

Nine having voted in the affirmative and one hundred twenty-eight having voted in the negative, the motion did not prevail.

Thereupon, the Bill was given its third reading, passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair now lays before the House the sixth tabled and today assigned matter, Resolve Regulating Bass Fishing in Sebago Lake, Cumberland County, House Paper 288, Legislative Document 435, tabled on March 10 by the gentleman from Bridgton, Mr. Haughn, pending second reading; and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Haughn of Bridgton, the Resolve was given its second reading, passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair now lays before the House the seventh tabled and today assigned matter, An Act relating to Motor Vehicle Operators' Licenses, Senate Paper 184, Legislative Document 427, tabled on March 10 by the gentleman from Auburn, Mr. Wade, pending passage to be enacted as an emergency.

The Chair recognizes the gentleman from Ellsworth, Mr. Brown.

Thereupon, on motion of that gentleman, the House voted to reconsider its action whereby this Bill was passed to be engrossed.

Mr. Brown of Ellsworth then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 184, L. D. 427, Bill, "An Act Relating to Motor Vehicle Operators' Licenses."

Amend said Bill by striking out in the 7th line of that part designated "Sec. 61" the underlined word and figure "June 30th" and inserting

in place thereof the underlined word and figure "August 31st".

Further amend said Bill by striking out in the 9th line of that part designated "Sec. 61" the underlined word and figure "July 1st" and inserting in place thereof the underlined word and figure "September 1st".

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

On motion of Mr. Bragdon of Perham, the House voted to take from the table the first tabled and unassigned matter, Bill "An Act relating to the Training of Firemen", Senate Paper 131, Legislative Document 326, tabled on February 5 by that gentleman pending reference to a Committee. In the Senate this Bill was referred to the Committee on Education.

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

Mr. BRAGDON: Mr. Speaker, I tabled this bill pending reference at the request of certain people interested in the bill who knew at the time of tabling that another matter pertaining to the same subject matter was to be presented. It was the feeling of that group that these bills could best be heard before the same Committee and on the same day. The other bill to which I refer is now before us. It is the third tabled and unassigned matter, and since that bill has been referred to the Committee on Appropriations and Financial Affairs, and that there appears to have come about a meeting of minds in the matter of this reference, I now move that this Bill, L. D. 326, An Act relating to the Training of Firemen, be referred to the Committee on Appropriations and Financial Affairs in non-concurrence.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, moves that Bill "An Act relating to the Training of Firemen" now be referred to the Committee on Appropriations and Financial Affairs in non-concurrence. Is this the pleasure of the House?

The motion prevailed, the Bill was referred to the Committee on Appropriations and Financial Af-

fairs in non-concurrence and sent up for concurrence.

On motion of Mr. Earles of South Portland, the House voted to take from the table the third tabled and unassigned matter, Bill "An Act to Create a State of Maine Authority for Emergency and Fire Fighting Training", Senate Paper 361, Legislative Document 1044, tabled on March 6 by that gentleman pending reference to a Committee.

On further motion of the same gentleman, the Bill was referred to the Committee on Appropriations and Financial Affairs in concurrence.

The SPEAKER: The House is proceeding under Orders of the Day.

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

Mr. EMMONS: Mr. Speaker, the Order presented in the House this morning has now been reproduced and distributed. I think you all have had a chance to read it. I now move that it be taken from the table and I wish to make a further motion.

The SPEAKER: The gentleman from Kennebunk, Mr. Emmons, moves that the Order relative to the study of the University of Maine tabled earlier this morning by the same gentleman now be removed from the table. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. EMMONS: Mr. Speaker, I now move that this Order be indefinitely postponed.

The SPEAKER: The gentleman from Kennebunk, Mr. Emmons, now moves that this order be indefinitely postponed.

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

Mr. ROLLINS: Mr. Speaker, I thought there was a motion before the House for passage of the Order. Does that indefinitely postpone motion supersede it?

The SPEAKER: The Chair will advise the gentleman from Belfast that he is correct insofar as there was a pending motion on the passage of the order, but a motion to indefinitely postpone does take precedence over that motion. The

question before the House now is on the indefinite postponement of the order.

Mr. ROLLINS: Mr. Speaker, what prompted me to put the order in was there were some papers left with us yesterday and I will just cite what has happened in the past ten years here on the Department of Education. This is not the University of Maine, this is the Department of Education. The Department of Education in 1948 had 49 employees; in 1958 they had 118, and the expenditures in the past six years in that Department, in 1951 and '52 were \$10,100,699.11. In 1957 and '58 the expenditures have risen to \$17,598,559.47. The question is, how far can we go? There are bills before this Legislature which you all realize, the predominant one is \$24,000,000 bond issue for the University of Maine to which I have heard many rumblings, and they can't understand why they should give them a blank check for \$24,000,000. Some have said to me, if they want to build a building, we'll give it to them, but this bill apparently is to take care of some they have already built perhaps, we don't know just exactly, and the question is, how far are we going to expand? How far can the people of Maine carry the load? That is the reason for my introduction of this order, and I hope the motion does not prevail.

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

Mr. COUSINS: Mr. Speaker and Members of the House: I hate to go against my good friend from Belfast, Mr. Rollins, and I don't wish at this time to debate the \$24,000,000 bond issue. I could say a few words about it such as it being one of the best ways for the State of Maine to get some money; a way for the State of Maine to get money without the expenditure of any general fund money and so forth and so on. This Order to me goes much further than that. Are we or aren't we going to believe some of the things that the people at the University of Maine tell us? Are we going to have a study, \$4,000 study to be done by April 27 to determine facts which are quite well known? I have heard nobody challenging any of the figures that the people at the University have given us

about our future population trends, about the number of people being in college in future years.

This is not the way to attack the \$24,000,000 bond issue bill, it should be fought on its merits and not through an order like this, and I hope the motion of the gentleman from Kennebunk, Mr. Emmons, does prevail.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I rise in favor of the Order of the gentleman from Belfast, Mr. Rollins. I don't know any reason why the bond issue is being debated. I would like to reread into the record remarks of the late Edward E. Chase of Cape Elizabeth, then Republican Floor Leader of the House on April 6, 1951. He was then President of the Board of Trustees at the University of Maine, and for those who enjoyed the privilege of knowing him, regardless of party affiliations, the late Mr. Chase was not only a gentleman, but also a statesman. His remarks are thus: "Mr. Speaker, I had not intended to speak to the House on this item, but in view of the fact that I am probably more familiar with the financial situation in Maine than anyone else here, I feel that I ought to do so.

"Some of you who were here — no, I guess I will have to go back just a little — the first public speech I ever made in my life was in the Public Speaking Class at the University of Maine in 1909 and the subject was 'What the 1909 Legislature had appropriated for the University,' I having been a page in that Legislature. I was with the Treasurer of the University, the late Justice Dunn, for some time. I was on the Alumni Committee for ten years, a member of the Board of Trustees in 1929 to 1948 and during practically all of that time was Chairman of its Finance Committee.

"The mill tax on the books of the State representing a policy of the University's support was a bill which I introduced in 1929 and the amount called for in this budget bill of \$818,000 was inserted because it is one mill on the valuation of the State and required within existing

law, which was the basis on which the Governor drew it up.

"Four years ago, I then being President of the Board of Trustees of the University and a member of this Legislature, urged the Legislature to exert its powers to give the University some clear-cut direction regarding policy. We were running the University in 1945 under the mill tax for less money at the expense of the State than when the mill tax was established in 1929. I don't happen to know of any other department in the State government of which that can be said.

"Along came the problem of the G. I. educational program, and it was necessary to do something for the veterans in educational facilities and the burden was very largely thrown on the University. They had to spend the reserve which they had accumulated during the war and had hoped to spend for needed construction. In any institution of that kind—and what I say now is critical, and I hope objective—in any institution of that kind there is a force for expansion constantly at work, which it is the function, as I see it, of the Board of Trustees to subdue and abate and keep within bounds. The expansion due to the G. I. entrance continued and the University started to grow. We have kept, I thought, under reasonable control for some time. We have tried to run it on a quality basis; keep the standards for admission fairly high.

"I have always believed that higher education at public expense is a privilege which ought to be earned by the students in school by demonstrated merit and diligence. I think the standards at the University for admission today, which is little more than a high school certificate and the ability to pay tuition, are too low. I think the State would run a better university, cheaper, if the Legislature had given, as I recommended, given the trustees a clear-cut direction of the kind of university that it wanted. The Legislature paid very little attention as usual to my recommendation. I made the recommendation to the University of Maine Committee and I predicted then—and this is one prediction

which I made which hit it right on the nose—that four years from 1947 the University of Maine would require \$1,350,000 to sustain it and that is the exact figure to a dollar which the Board of Trustees came into this session stating as what they wanted.

“Now, if the University is in the position which they now describe, and I believe they are, it isn’t a situation which can be corrected now. It could have been corrected four years ago but you can’t correct it now. If you want to consider the policies of the University of Maine as the Legislature has a right to do, that is another matter. That can save money in future operations but there they are with these students, with great problems in hand, with their finances impaired, and operating at a deficit. I am speaking of this matter objectively because I feel it is my duty in view of my familiarity with the situation.”

Those are the words of the President of the Board of Trustees, a member of the Legislature and a Floor Leader, and an able one at that.

The figures have now become for the first year of this present biennium on the regular operation the current expenditures \$2,466,443; second year, \$2,610,560; capital expenditures \$2,450,000 first year, \$509,800 the second year. The remarks of the late Mr. Chase were made during a heated debate concerning what we are discussing now, what this order wants to bring out. He was roundly supported for his thinking. At that time as a member of the Appropriations and Financial Affairs Committee, I as well as others supported his stand on principle. We put our dollars, and rightfully so, in the University of Maine. I think that we have a right to know. Maybe the word “pilot” is not added onto this thing, but the price tag is small and if it needs after a survey even though the word pilot is not there, to come up with more expenditures for a further look-see, I am for it. I know that the gentleman from Belfast, Mr. Rollins, and others who would support this order are not trying to flaunt the gauntlet into

the faces of the Trustees or the personnel at the University of Maine. We merely have a right to know. This gentleman who was a student at the University, who was a legislator, was a trustee, a Chairman of the Board of Trustees, sounded the warning then. We want to know and we want to try to help them as far as the Legislature is concerned because we are responsible for it, help them in their direction. That is what I am for, and I certainly hope this Legislative Order has passage.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Treworgy.

Mr. TREWORGY: Mr. Speaker and Members of the House: I have complete faith and confidence in President Elliot and the other officers of the University of Maine. To me the expenditure of this sum of \$4,000 as mentioned in this Order would be a sheer waste of the people’s money. I hope the indefinite postponement motion before the House does prevail.

The SPEAKER: The Chair recognizes the gentleman from Hope, Mr. Hardy.

Mr. HARDY: Mr. Speaker and Members of the House: I perhaps in part in reply to Mr. Rollins, the gentleman from Belfast, I was associated with the University some of those years that he mentioned in the past ten, and I can assure Mr. Rollins that the budgets which I had occasion to be most conscious of were constantly trimmed and retrimmed to keep under the amount of money that we had to work with. I know many of the business administrators at the University personally and I find them to be men of the very highest caliber. I feel that at this time it would be a very poor gesture on our part to go ahead with this so-called investigation, and I very much follow the statements of the gentleman from Orono, Mr. Treworgy.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Caron.

Mr. CARON: Mr. Speaker, Ladies and Gentlemen of the House: I must say that I am amazed at this type of an order which has been presented before the House today,

and most likely will be perplexity for the University of Maine and the educators involved and it should not be set forth. I am wondering, what are we going to attempt to investigate next, is it going to be the House? I think that we have to hold this down to a minimum and realize that the educators in the State of Maine are devoted people who are working for a very small compensation, and I would say at this time that I would go along with the motion that this be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Barnett.

Mr. BARNETT: Mr. Speaker and Ladies and Gentlemen of the House: I don't want to prolong this debate, because the hour is getting late, but if I understand correctly the purpose of the bill which does imply the housing bond issue, why my thinking concurs with the gentleman from Bangor, Mr. Cousins, and these others, and I hope that the motion to indefinitely postpone prevails.

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

Mr. BERMAN: Mr. Speaker, Doctor Elliot has been at the University of Maine less than a year. He is required or he is being required to fill some pretty big shoes, those of past President Hauck. I think we ought to give him a chance to try and fill the shoes. Nine months is not too long before we start investigating at the University.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I wouldn't ask the question but if my memory serves me correctly, when the House passed the Order that would look into the Department of Health and Welfare and Highway Department, I recall more than one in the lobby and on the floor of the House stated it was not an investigation, it was a pilot survey.

Now this is not an investigation, and I don't see where the thought ought to be put on with the word investigation in the attempt to kill

the order. This is not in disrespect to Doctor Elliot; it is not in disrespect to the University of Maine, to the personnel of the University of Maine, but we are asking questions concerning the University of Maine, and possibly I don't read very well, but I heeded the words of this man and I have discussed it with several people here, the remarks that that man made a few years ago. I have all the faith in the world in the referral of the order to the House Chairman of the Education Committee and the Senate Chairman and the President of the Senate and the Speaker of the House. I think they can do the work well, no one is going to get hurt, and I think the order is extremely sound and not an attempt to disrespect or discourage our fine University of Maine. I have voted for them on a few occasions myself, and I respect the University and the personnel there. We have the right to ask them a few questions just the same way as we had the right—we took the right upon ourselves to look into old age assistance.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Barnett.

Mr. BARNETT: Mr. Speaker, I request a division on the vote.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I was up to the University of Maine and I talked with the President, and I think he is a very fine, capable man, and I am much in favor of everything for the University of Maine that we can afford. If I were the President of the University of Maine, I would welcome a pilot study. In the business that I have been conducting for twenty years, we are investigated or a pilot study whichever you have a mind to call it, we expect it and we are never sorry to see the inspector come. We have a number of hired men and sometimes they found things that they could help us improve on, and we are always glad to see them come and we never had any quarrel with them at all, and we felt and feel now that the inspection division for the

business that I was in was for the good of the business as well as for the people.

Now this pilot study, were I President or had anything to do with the University, I would welcome it because I believe it would be as much help to the University as anything that could be done to help them.

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

Mr. STANLEY: Mr. Speaker and Ladies and Gentlemen: Certainly all we are discussing here today is what this particular order if it is passed would do for the people of the State of Maine. The order as it is written is that the President of the Senate, the Speaker of the House, the Senate and the House Chairmen of the Joint Committee on Education be authorized and directed to engage a professional consultant firm for the purpose of effecting reductions. That would not be a very good attitude, in my opinion, for us to go out and hire somebody and direct them to bring in reductions in the costs at the University of Maine.

Something was said about why do we discuss the \$24,000,000 bond issue. It is right in the order. It says the purpose of this order is to obtain facts for the Legislature upon which the Legislature may determine to what extent the University of Maine should expand in the best interests of the people of Maine and upon which the Legislature may rely in order for it to vote intelligently upon the bond issue of the University of Maine now before the 99th Legislature.

Certainly if we are down here as representatives of the people, we should have all the facts before us that we possibly can have, but if we wait for a professional survey to bring the facts in to us, I would be afraid that we would want to wait until all those facts came in before we made up our minds on the \$24,000,000 bond issue. It might do an injustice to the bill itself; it might do an injustice to the people of the State of Maine if we had that attitude. I don't believe that any survey which we would make now could bring

back any recommendations to this Legislature upon which we could vote intelligently. We have two pilot studies now in the works which we have ordered, and those two are to be back, I forget the date, but they will be back before the Legislature can adjourn, and we will have to go over those and see what we want to do further on those. I don't believe that we have the time in this Legislature to do anything on this particular issue, and I certainly would go along with the indefinite postponement of the order.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: Mr. Stanley, the gentleman from Bangor, where he was the last speaker, he didn't know what it would do for the State of Maine. Well you can read in the order, it is what it will do for the Legislature. We have been giving the University of Maine a blank check here for, well I've been here since 1941 and I have seen a good many of them go, and we just want to know what the money is going for. Some of us feel we have got a right to know, and I think there are a couple of bills in here about the right to know about all business in the State of Maine if I remember right. And one gentleman said they were working under small compensation. Well now I think this House passed an order some weeks ago to find out what the compensation was and we haven't found out yet, and they just laughed at our order. After all, this Legislature, one man said investigate the Legislature. Who is the Legislature? It is the general court of the State of Maine. There is no one going to investigate the Legislature. You study up your Constitution. And they say trim the budget. One gentleman was up there, he was there in that period of time I spoke of, he knew that they trimmed the budget. I asked him did they not trim the budget down here before the Appropriations Committee this year and every year? Mr. Stanley can answer that question. They come down here with a big budget and

they cut it and pare it every time. I still hope the motion does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Caron.

Mr. CARON: Mr. Speaker, in answer to the gentleman, I am very well aware of the Constitution of the State of Maine, being a member of the Bar. I will further state that the only thing that bothers me here, and I say that with sincerity, is I don't think that we should give anyone the opportunity to form an opinion that is not very worthy against the educators of the State of Maine, and I do hope that the motion to postpone the Order will prevail. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Kennebunk, Mr. Emmons, that the Order relative to a study of the University of Maine be indefinitely postponed. A division has been requested. Will those who favor the motion to indefinitely postpone this Order please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-three having voted in the affirmative and sixty-two having voted in the negative, the motion to indefinitely postpone the Order prevailed.

The SPEAKER: The House is proceeding under Orders of the Day.

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

Mr. BERMAN: Mr. Speaker and Members of the House: About a week ago this House passed an Order relating to the purchase of a new House flag with forty-nine stars. In the interest of economy I would suggest that this Order be held up because it appears that soon we will be needing a flag with fifty stars as Congress is about to accept the introduction of Hawaii as our fiftieth State.

The SPEAKER: The Chair would advise the gentleman from Auburn, Mr. Berman, that pursuant to the instructions of the Order already passed, the Clerk has performed his duties and already requisitioned the forty-nine star flag. The Clerk is very efficient in the performance of his duties. (Applause)

The Chair recognizes the gentleman from Hope, Mr. Hardy.

Mr. HARDY: Mr. Speaker, I wish to compliment the Clerk on being very efficient because I think here at the Capitol we should have a flag of forty-nine stars in our possession.

The SPEAKER: The House is proceeding under Orders of the Day.

The Chair will again remind the House that one o'clock Friday afternoon is the deadline for signing bills in the office of the Director of Research.

(Off Record Remarks by the Speaker)

On motion of Mr. Trumbull of Fryeburg,

Adjourned until one o'clock tomorrow afternoon.