

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, April 2, 1959

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

Prayer by Rabbi Norman Zdanowitz of Auburn.

The journal of yesterday was read and approved.

**Papers from the Senate
Senate Reports of Committees
Ought to Pass in New Draft
Tabled**

Report of the Committee on State Government on Bill "An Act Revising the Laws Relating to the Bureau of Public Improvements" (S. P. 60) (L. D. 93) reporting same in a new draft (S. P. 439) (L. D. 1286) under same title and that it "Ought to pass"

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

In the House, the Report was read.

(On motion of Mr. Stanley of Bangor, tabled pending acceptance of the Committee Report and unasigned.)

**Ought to Pass
Tabled and Assigned**

Report of the Committee on Business Legislation reporting "Ought to pass" on Bill "An Act relating to Powers of Maine Fidelity Life Insurance Company" (S. P. 324) (L. D. 900)

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

(On motion of Mr. Dennett of Kittery, tabled pending acceptance of the Committee Report and specially assigned for Thursday, April 16.)

Report of the Committee on Business Legislation reporting "Ought to pass" on Bill "An Act relating to Certification by Automobile Dealers of Mileage of Used Motor Vehicles" (S. P. 364) (L. D. 1047)

Report of the Committee on Public Utilities reporting same on Bill "An Act relating to Time of Public Utility Commission's Orders Concerning Rate Changes for Freight Transportation" (S. P. 369) (L. D. 1052)

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 tomorrow assigned.

Orders

On motion of Mr. Dennison of East Machias, it was

ORDERED, that the House Committee on County Estimates be instructed to originate a bill to correct an error in chapter 53 of the Resolves of 1959 as to the amount of county taxes to be raised by the County of Washington in 1959 and 1960.

**House Reports of Committees
Leave to Withdraw**

Mr. Johnson from the Committee on Claims on Resolve in favor of Newington Home and Hospital for Crippled Children of Newington, Connecticut (H. P. 482) (L. D. 700) reported Leave to Withdraw.

Mr. Dennison from the Committee on Highways reported same on Resolve Designating Route No. 191 in Washington County as a State Highway (H. P. 874) (L. D. 1248)

Reports were read and accepted and sent up for concurrence.

Mr. Turner from the Committee on Claims reported "Leave to Withdraw" on Bill "An Act relating to Duties of Municipalities in Snow Removal and Sanding on County Roads and Third Class Highways" (H. P. 744) (L. D. 1063)

The Report was read and accepted.

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

Mr. CURTIS: Mr. Speaker, I don't seem to just understand what this is going to do and I would like to table it until Tuesday. I would like to talk it over with the Highway Commission.

The SPEAKER: The gentleman will now have to move that the House reconsider its action whereby it accepted the "Leave to Withdraw" Report. The item is no longer before the House. If the gentleman wishes to make that motion it would be in order.

Mr. CURTIS: Mr. Speaker, I do not.

Mr. Karkos from the Committee on Labor reported "Leave to Withdraw" on Bill "An Act relating to Reciprocal Benefit Arrangements under Employment Security Law" (H. P. 752) (L. D. 1070)

Mr. Call from the Committee on Retirements and Pensions reported same on Resolve Providing for Pensions for Loomis and Emma Deane of Fort Fairfield (H. P. 625) (L. D. 893), which was recommitted.

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 Axel Nelson of Thomaston (H. P. 807) (L. D. 1146)

Report was read.

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

Mr. WINCHENPAW: Mr. Speaker, Ladies and Gentlemen of the House: I would like to speak a few minutes on this bill. This is an old claim that has been around here for several years and the gist of it is that Mr. Nelson claims the veterinary treated his cow too rough and the cow died from rough treatment. The State claims that the State has no liability in this case because they were hiring the veterinary on a per diem basis. And every time that I presented this case the State has sent a veterinary in there that says, he says this is an unusual case and they cannot pay for the cow; they have no funds to pay for the cow, but have your representative put a bill in before the Claims Committee.

So now I have presented the bill and they will admit it is a very unusual case. They also admit I am trying to get my foot in the door. That is impossible, as you know, but I move that the resolve be substituted for the report.

The SPEAKER: With respect to this Resolve, the gentleman from Friendship, Mr. Winchenpaw, moves that the Resolve be substituted for the Report.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I never got myself into so much trouble in my life as when I sat on the Claims Committee. Now as I understand this Claims Committee, in a court of equity by law we wouldn't have any of these claims come in because all of these claims that come in the Claims Committee are against the letter of the law. In other words, we try to decide them on their merits. Now I am sure that we gave this a very fair hearing and spent much time on it, and while we would love to pay for this cow yet in a court of equity why we must decide on what we believe is right and what we believe is wrong. Now personally, I think this would be wrong entirely for you people who furnish the taxes to have to pay for this cow because I don't think he has any right to it except sympathetically he would like to have the cow paid for, and who wouldn't.

The SPEAKER: The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker, Ladies and Gentlemen of the House: I think there are probably a number of farmers in the hall of House that are representatives, and I think a good number of them have had their cattle tested for both Bangs disease and TB and in testing each cow has to have a tag inserted in the ear and it was brought out through the information that was given to the committee that when these tags were put into the cow's ear he jumped back and that was what caused the damage three or four days later. We couldn't see any possible reason why the State would be liable for it could be one of many, many other things that would cause the same damage. And it was also brought out in the study that this had never happened before even though they had tagged thousands and thousands and thousands of cattle. So we reported it out "Ought not to pass" and we hope our position stands. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Friendship, Mr. Winchenpaw, that in respect to Resolve in favor of Axel Nelson of Thomaston, the Resolve be sub-

stituted for the Report. Will those who favor the motion to substitute the Resolve for the Report please say aye; those opposed, no.

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

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

Mr. Hardy from the Committee on Labor reported "Ought not to pass" on Bill "An Act relating to Definition of Base Period under Employment Security Law" (H. P. 648) (L. D. 939)

Report was read.

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

Mr. COUTURE: Mr. Speaker and Members of the House: I have introduced this piece of legislation for one reason. Maybe all of you are aware of the unemployment in 1958, which all of you should, because there is a report now of over 12,000 people that have exhausted their benefits in the year of 1958. That was repeated in this House before and also it was repeated in the Committee hearings. At a meeting of the jobless people in 1958 in that greater amount which it might reach up to the 15,000 people on the second count, the meeting of it is the people unemployed in 1958, which the figure was given in a labor hearing of 35,000 people unemployed in the State of Maine, some 28,000 to 29,000 under the unemployment benefits, 12,000 of them that exhausted that benefit after twenty-six weeks of drawing under the unemployment.

I had introduced a bill in the House here to come in under the Federal law which you have read previously on a paper, the extension that was agreeable with our President of the United States Eisenhower. Congress has passed it. Other states but the State of Maine are now getting the benefit of it which possibly our people unemployed will have to pay taxes to the Federal Government to support these people unemployed in other states. I have made it clearly that the report came in that it may never be paid back to the Federal Government, but still it was overlooked. These extensions a week now are getting so great by the Federal Government that they

will be calling that money back that they will break every Employment Office in the United States which they will never claim that back, but the State of Maine stayed out of it and say they will not go into such a loan. I came in then with a bill to allow them a few weeks until April 1 of 1959. Seems though that wasn't necessary either, so that came out to be defeated as you are all aware of.

Now that I have told you the amount of people that have been loafing in the year 1958, is anybody in the House here aware of how much money the people will be entitled under the unemployment in the period of 1959 and '60 which will end April 1? They are drawing their unemployment according to the earnings of the year before. It has been that amount of people unemployed and that amount of people exhausting their benefits, what have they earned? Even if work picks up and we put about half of those people unemployed in the State back to work meaning half of them will draw nothing at all whatsoever or others to draw some \$10.00 a week.

I have heard a little remark previously that I asked for the Floor here about taking care of a cow. Mind me they haven't got the money to take care of their children and they are overlooked in this House. You are aware of it. Either you live in cities or towns in this State; you know the conditions that exist as much as I do, and I think that this House of Representatives here are to represent the people whether they are the working people, the farmers, the bankers or whatever they are, as equal as possible that we can do here. But as we go down the line in this session I can see the working people thrown in the harbor, thrown in the harbor. I picked up this calendar this morning and on this bill that only asked that the people will be entitled to draw their unemployment under the earnings of 1957 or the year 1958 whichever one will be greater to at least give them a little so they can feed their children, but no, it yet came out ought not to pass. There was the question of the cost of it.

I claimed down there in the hearing through working that this year there will be an increase in the fund, and I can explain to you the

reason why the fund will grow higher than what it is today. Your fund has decreased down where it is now to 34,000,000 close to \$35,000,000 caused by unemployment, the amount of people drawing their unemployment benefits and drawing the full amount up to \$33.00 per week. If next year we will say for instance that the amount is about the same and they are drawing \$10.00, \$12.00, \$15.00 or \$17.00 a week instead of \$33.00, what does that mean? The income to the unemployment fund will be the same that it was this year, it will be the same because there will be the same amount of people possibly unemployed, so the same amount of money will come back, but they will receive half of what they were receiving. Certainly I am hoping not to see 28,000 or 29,000 or 30,000 or 35,000 people unemployed in the State next year if there is anything that could be done. But if everybody ignores the labor boss in this State as this House of Representatives does, certainly there will be 60,000-000 loafing possibly. There will be a greater amount, they will double up or more. I'm telling you now that I've had that on my chest since the beginning of this session.

You may say I'm a labor representative — yes I am! and I am proud of it! I represent the class of people that keeps this State functioning. Without labor where would be this state? But it seems so that they feel we don't need labor in this State. I repeated once that you are losing them by the thousands. You are losing your skilled labor in this State. You are spending thousands and thousands of dollars to keep your industrial office open to get new industry in this State. That's where the man is. What skill have you got in the State of Maine? What are you going to answer? Anybody skilled will not sit around home and wait for the action of the Legislature to give them the bread to support their children. They will use their skill. They'll get out of the State of Maine and make themselves a home somewhere else, then you will have nothing to offer these new industries to come in this State. You know that is done every day. All of you are aware of how many people are

leaving your towns and all of you are aware of how many people are leaving your cities all over the State as a whole. Why are you losing them? Actions similar as taken in this House since the beginning of this session. No other reason at all whatsoever.

I introduced this bill for one reason again to try to give them at least a little so they can pull through the following winter. Members of the House here and the Labor Committee have found it terrible to find out how many people are unemployed in this State. How do you know how many people will be unemployed next winter when you will not be in session in no way, shape or manner at all to take care of them? You know they are depending on your people in the end possibly for next winter, and of course they are during the session, and certainly nothing will go out of their house, nobody will walk forward possibly to see that they are taken care of even if they go to bed hungry. That has been the action of this House.

Mr. Speaker, I could go on from now until two o'clock this afternoon and speak on the part of all the labor we use in this State of ours by this House and the other branch also in a cute way that they are doing. Now at this time I will make a motion that I know that it will possibly be bounced through the walls of the State House here as much as the other labor bill was thrown in the harbor. I make a motion at this time, Mr. Speaker, that this bill be substituted for the bill and I am calling a roll call.

The SPEAKER: The question before the House is the motion of the gentleman from Lewiston, Mr. Couture, that with respect to Bill "An Act relating to Definition of Base Period Under Employment Security Law" the bill be substituted for the report.

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

Mr. CURTIS: Mr. Speaker, I will confess that I am perfectly confused in regard to this bill. I do not believe that I could do justice to the people who sent me here, industry or labor, to vote either one way or another on this bill. I think perhaps there are some others here

that are as confused as I am having so many things of their own to attend to and so many of their own bills that they have not probably had a chance to look this thing over and find out what it was all about, and would I be in order now to ask to table this to Wednesday next so we might make further study? I ask for a division.

The SPEAKER: The gentleman is in order with his motion. The Chair understands the gentleman from Bowdoinham, Mr. Curtis, moves that Bill "An Act relating to Definition of Base Period under Employment Security Law", House Paper 648, Legislative Document 939, and the Committee Report be tabled until Wednesday next, pending the motion of the gentleman from Lewiston, Mr. Couture, that the Bill be substituted for the Report. The gentleman has requested a division on the tabling motion.

Will those who favor the motion to table especially assigned for Wednesday next, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

The SPEAKER: The question now before the House is the motion of the gentleman from Lewiston, Mr. Couture, that the Bill be substituted for the "Ought not to pass" Report.

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

Mr. CURTIS: Mr. Speaker, I wish to be excused from voting because I don't know a thing about the bill, I haven't made enough study.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, requests permission of the House to refrain from voting when the voting is being done. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: Is the House ready for the question? The gentleman from Lewiston, Mr. Couture, has requested a roll call vote. For the Chair to entertain the request for a roll call vote, the Chair must have the expression of a desire for a roll call on the part of one-fifth of the House.

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

An insufficient number arose.

The SPEAKER: Obviously the request for a roll call has not received the necessary approval of one-fifth of the House and therefore the roll call is not ordered.

Mr. Jalbert of Lewiston then requested a division of the House.

The SPEAKER: Is the House now ready for the question? Will those who favor the motion to substitute the bill for the Report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Twenty-three having voted in the affirmative and one hundred six having voted in the negative, the motion did not prevail.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

Mr. Karkos from the Committee on Labor reported "Ought not to pass" on Bill "An Act Eliminating Waiting Period for Benefits under Employment Security Law" (H. P. 299) (L. D. 446)

Report was read and accepted and sent up for concurrence.

Mr. Whitman from the Committee on Natural Resources reported "Ought not to pass" on Bill "An Act to Create a Water Pollution Abatement Program" (H. P. 662) (L. D. 953)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, I wish to table this matter for two weeks, April 16.

The SPEAKER: With respect to Bill "An Act to Create a Water Pollution Abatement Program", the gentleman from Jay, Mr. Maxwell, moves that the Report be tabled and specially assigned for April 16 pending acceptance of the Report. Is this the pleasure of the House? Will those who favor the motion to table please say aye; those opposed, no.

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

The SPEAKER: The question now before the House is the acceptance of the "Ought not to pass" Report. Will those who favor accepting the "Ought not to pass" Report please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

Mr. Chapman from the Committee on Retirements and Pensions reported "Ought not to pass" on Resolve Providing Retirement Benefit Increase for James H. H. Bodge of South Harpswell (H. P. 670) (L. D. 962)

Mr. Edgerly from same Committee reported same on Resolve Providing Increase in Pension for Willard J. Leonard of Bangor (H. P. 595) (L. D. 841)

Mr. Lancaster from same Committee reported same on Resolve Providing for a Pension for George A. DeWitt of Bradford (H. P. 698) (L. D. 998)

Same gentleman from same Committee reported same on Resolve Providing for State Pension for Paul Tobin of Otisfield (H. P. 699) (L. D. 999)

Reports were read and accepted and sent up for concurrence.

Referred to Committee on Veterans and Military Affairs

Mr. Lantagne from the Committee on Retirements and Pensions reported "Ought not to pass" on Resolve to Compensate William H. Barker of Waterford for Injuries while Training with National Guard (H. P. 183) (L. D. 276)

Report was read.

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

Mr. DUMAIS: Mr. Speaker and Ladies and Gentlemen: I would like to refer this to the Committee on Veterans and Military Affairs. This bill has been heard, I believe, in the wrong committee.

The SPEAKER: With respect to this Resolve, the gentleman from Lewiston, Mr. Dumais, moves that the Resolve and the Report be referred to the Committee on Veterans and Military Affairs.

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

Mr. CALL: Mr. Speaker, I am in accord with the request of the gentleman from Lewiston, Mr. Dumais.

The SPEAKER: Is it the pleasure of the House that this Resolve and this Report be referred to the Committee on Veterans and Military Affairs?

The motion prevailed and the Resolve and Report were referred to the Committee on Veterans and Military Affairs and sent up for concurrence.

Mr. Perry from the Committee on Towns and Counties reported "Ought not to pass" on Bill "An Act relating to Compensation of Medical Examiners for View without Autopsy" (H. P. 453) (L. D. 659)

Report was read and accepted and sent up for concurrence.

Referred to Committee on Appropriations and Financial Affairs

Mr. Hughes from the Committee on Claims on Resolve in favor of Town of Danforth (H. P. 806) (L. D. 1145) reported that it be referred to the Committee on Appropriations and Financial Affairs.

Report was read and accepted, the Resolve referred to the Committee on Appropriations and Financial Affairs and sent up for concurrence.

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

Ought to Pass Original Bill

Mr. Call from the Committee on Retirements and Pensions on Bill "An Act relating to Retirement Benefits under the Maine State Retirement System" (H. P. 627) (L. D. 874), which was recommended, reported that the original Bill under title of "An Act relating to Retirement Benefits for Teachers with Fifteen Years of Service" (H. P. 171) (L. D. 245) "Ought to pass"

Report was read and accepted, the original Bill read twice and tomorrow assigned.

Ought to Pass Printed Bills

Mr. Miller from the Committee on Labor reported "Ought to pass" on Bill "An Act relating to Penalties under Employment Security Law" (H. P. 757) (L. D. 1075)

Mr. Saunders from the Committee on Natural Resources reported same on Bill "An Act Classifying Certain Surface Waters in Maine" (H. P. 504) (L. D. 717)

Mr. Whiting from the Committee on Retirements and Pensions reported same on Resolve Providing a Pension for Miss Avis Robertson of Belfast (H. P. 669) (L. D. 961)

Mr. Doyle from the Committee on Towns and Counties reported same on Bill "An Act relating to Funds Appropriated for School Physicians" (H. P. 703) (L. D. 1003)

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

Ought to Pass with Committee Amendment

Mrs. Knapp from the Committee on Election Laws on Bill "An Act relating to Voting Machines for Elections" (H. P. 873) (L. D. 1247) 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. 873, L. D. 1247, Bill, "An Act Relating to Voting Machines for Elections."

Amend said Bill by striking out all of subsection I of that part designated "Sec. 2" and inserting in place thereof the following underlined subsection: **'I. Purchased or rented. The municipality may either purchase or rent voting machines.'**

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

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

Thereupon, Mr. Stanley assumed the Chair as Speaker pro tem amid

the applause of the House and Speaker Edgar retired from the Hall.

Divided Report

Majority Report of the Committee on Claims reporting "Ought to pass" on Resolve in favor of Grand Falls Hospital, Grand Falls, New Brunswick (H. P. 483) (L. D. 701)

Report was signed by the following members:

Mr. FOURNIER of York
— of the Senate.

Messrs. GALLANT of Eagle Lake
CURTIS of Bowdoinham
JOHNSON of Stockholm
MATHEWS of Berwick
KENNEDY of Milbridge
DUFOUR of Old Town
HUGHES of St. Albans
— of the House.

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

Report was signed by the following members:

Messrs. WEEKS of Cumberland
PARKER of Piscataquis
— of the Senate.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Stockholm, Mr. Johnson.

Mr. JOHNSON: Mr. Speaker and Ladies and Gentlemen of the House: I move to accept the Majority "Ought to pass" Report.

The SPEAKER pro tem: The gentleman from Stockholm, Mr. Johnson, moves that the House accept the Majority Report "Ought to pass".

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: This is another one of those bills if I lived up to the letter of the law there would be nothing done, but as a court of equity we who signed the "Ought to pass" Report felt that it was only fair and equitable that we should report this out "Ought to pass" for this reason. This man was out with his family and was just about to turn in home and a man came tearing down the road and ran into him and injured him terribly and some members of his family, I think it broke the back of one of his daughters and injured practically every one of them. Now this was insured,

this automobile, and so there was \$7,000 the insurance company paid toward this claim, but of course the medical bills — this man was rushed to the New Brunswick Hospital because that was the one that was the handiest, in fact he lived just a few miles away. This man had some \$8,000 in the bank and now he has spent all of that and he has been unable to work for a long time. He went to Connecticut to another hospital for treatment whereby he ran up a bill there of \$1,000 which could not be paid which we had in the Committee, but since Connecticut does not help us any too well and this was in our own we asked leave to withdraw that which we have already done, but this particular one, this man has spent some \$15,000 and still he is scarcely able to get along. I guess he gets out some, but he is very much impaired and I think his daughter will be a cripple for life, and it only looks fair that we should pay the New Brunswick hospital this bill which he is unable to pay and never will be able to pay, and the sad fact of it all is that they have to trade over in that particular area and of course if they drive across the line into New Brunswick why they will seize his car and I don't know, may put the man in jail, so he just has to stay over here and perhaps this Grand Falls Hospital which so many of our people from the State of Maine do use, they probably would be very reluctant to take anybody into their hospital again even if it was a case to save their life like they did this man, and I hope that this "Ought to pass" Report does prevail.

The SPEAKER pro tem: the question before the House is the motion of the gentleman from Stockholm, Mr. Johnson, that the House accept the Majority "Ought to pass" Report on Resolve in favor of Grand Falls Hospital, Grand Falls, New Brunswick. Is this the pleasure of the House?

The motion prevailed, the Resolve was read once and tomorrow assigned.

Divided Report Tabled and Assigned

Majority Report of the Committee on Labor reporting "Ought not to

pass" on Bill "An Act Permitting Employees Time Off to Vote" (H. P. 300) (L. D. 447)

Report was signed by the following members:

Messrs. BATES of Penobscot

ROSS of Sagadahoc

MacDONALD of Oxford

— of the Senate.

Messrs. WINCHENPAW

of Friendship

HARDY of Hope

TREWORGY of Orono

LETOURNEAU of Sanford

KARKOS of Lisbon

HANCOCK of Nobleboro

— of the House.

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

Report was signed by the following member:

Mr. MILLER of Portland

— of the House.

Reports were read.

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

Miss CORMIER: Mr. Speaker and Ladies and Gentlemen of the House: I can understand the way this bill was signed as it is written. However, I would like to prepare an amendment, and I would move to table the bill until tomorrow and I will remove it at that time after the amendment has been presented.

The SPEAKER pro tem: The gentlewoman from Rumford, Miss Cormier, moves that the Reports and Bill be tabled pending acceptance of either Report and be specially assigned for tomorrow. Is this the pleasure of the House?

The motion prevailed.

Divided Report

Majority Report of the Committee on Labor reporting "Ought not to pass" on Bill "An Act relating to Waiting Period under Employment Security Law" (H. P. 609) (L. D. 869)

Report was signed by the following members:

Messrs. BATES of Penobscot

ROSS of Sagadahoc

MacDONALD of Oxford

— of the Senate.

Messrs. TREWORGY of Orono

WINCHENPAW

of Friendship

HARDY of Hope

HANCOCK of Nobleboro

— of the House.

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

Report was signed by the following members:

Messrs. LETOURNEAU of Sanford

KARKOS of Lisbon

MILLER of Portland

— of the House.

Reports were read.

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

Mr. DESMARAIS: Mr. Speaker, I move we substitute the bill for the Report and I will state my reasons.

The SPEAKER pro tem: The Chair understands the gentleman from Sanford, Mr. Desmarais, moves the House accept the Minority "Ought to pass" Report. The gentleman may proceed.

Mr. DESMARAIS: Mr. Speaker and Members of the House: The definition of a week's waiting period can best be described as a non-compensable week of unemployment in which all the workers must have met all the requirements of the law and have been otherwise eligible for the benefits, even though no benefits can or will be paid with respect to that week, because the law requires that every claimant must serve a waiting period in each benefit year. The original theory of the requirement I believe for a waiting period was primarily to provide ample time for the agency to process the first claim. This is no longer a valid reason for this requirement for a waiting period. Agency procedures have long since been streamlined to the extent that a waiting period is no longer needed for administrative purposes.

Another reason for the requirement of the waiting week was to keep benefit payments down for a short period of unemployment. This reason may have been acceptable in the 1930's with the standard of living at that time. However, present day costs of living demands that every worker or each employee should have some revenue every week if not wages, and then they

certainly should be entitled to unemployment benefits for each and every week that they are unemployed. Certainly no one can deny that the principle in this L. D. 869 is keeping with the standard of policy of the Maine Employment Security laws which states in brief that benefits be paid for period of unemployment thus maintaining purchasing power and limiting social consequences of unemployment. These people here have to wait from three to four weeks to receive their checks. The way this waiting period works, you have to go into the employment office and you put in for your first week of unemployment. This is your waiting period. The second week is your base period week. Then the third week that you go in for your unemployment benefits is the week that you are entitled to receive your unemployment check. Waiting period withholds benefit payments from claimants during periods in which it is most needed, particularly the persons who return to gainful employment within reasonable short periods of time.

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

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House: On the evening of March 25 I was invited by a Women's Club to discuss several legislative documents. Among them was this elimination of the waiting week period. To better prepare myself and so that I may be fully informed concerning this legislative document, I wrote to Chairman Ralph C. Fortier of the Maine Employment Security Commission and asked him three questions that were prevalent at the time. I wrote this letter on March 20, and he replied on March 23. These were the questions which I asked Mr. Fortier.

1. Would elimination of the waiting week cause any administrative difficulties? This is his answer to the first question. The elimination of the waiting week would not cause any administrative difficulties.

2. Would the elimination of the so-called waiting period expedite benefits? This was his answer to the second question: The elimination of the so-called waiting period would expedite benefits.

3. Do you, in your opinion, think that the claimants would benefit from the elimination of the waiting week? This was his answer to the third question: Claimants who did not exhaust their benefits would benefit from the elimination of the waiting week.

Accordingly, those that would not exhaust their benefits are being penalized because of this waiting week period, so therefore, this particular legislative document I have been informed from the Chairman of the Maine Employment Security that it would cause no administrative difficulties; would expedite benefits, and claimants who do not exhaust their benefits would benefit. Accordingly, I move that when the vote to accept the Minority "Ought to pass" Report is taken that the vote be taken by a roll call vote.

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

Mr. WINCHENPAW: Mr. Speaker, as a signer of the "Ought not to pass" Report I might explain my position briefly. We felt that the law was very fair as it is now, and even though everything that the gentleman from Old Orchard Beach, Mr. Plante, has said is true, it would be quite a sum of extra cost to this bill, and we are afraid that this bill will also eliminate the voluntary quits, that's why we signed it as "Ought not to pass", and I hope the motion made by the gentleman from Sanford does not prevail.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I am in favor of this bill because I think it is too bad that men with families and we do know that practically—that a great many, practically the majority of the people that are working are living right up to their wages each month or each week, and it is too bad if they have something coming to them that they have got to go on starvation for a few weeks.

Now it has been said that why everybody is against doing this is because industry has to pay from their own pockets this security compensation. Now we know that is not

true if you look at it broadly. We know that the producer, regardless of who he is, he may be in industry with a white collar on, shoving a pencil or he may be out picking with a pickaxe, but we know the producer pays all the bills, and in fact the gentleman from Friendship said that we might do something wrong with this law. Perhaps the best thing we can do with the law is to dump the whole thing in the wastebasket and set up one that really does amount to something. Now I believe this great Nation of ours is just big enough and just wealthy enough and our natural resources are so great that every man who wants a job could be and should be provided with a job at a living wage, and if we have anything in industry or anything that does not do that why there is something wrong with the law entirely.

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

Mr. TREWORGY: Mr. Speaker, this is a double-barreled bill. In the first instance it would eliminate the waiting period. In the second instance, and one which is not quite as obvious, it would permit those people who leave their work for personal cause to draw unemployment benefits. In twenty-one states in this Country of ours good cause is restricted to good cause connected with work or attributable to the employer. Now we have an exception in the State of Maine and one other state which is Arkansas, which preserves the job rights and benefits for employees who have to leave because of illness, injury, disability or personal emergency.

If this bill is passed, it would cost in excess of \$1,900,000. I now move the indefinite postponement of this bill.

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

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

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

Will those who are in favor of the previous question please rise and

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

A sufficient number arose.

The SPEAKER pro tem: Obviously more than one-third of the members present having arisen, the motion is entertained.

The question now is shall the main question be put now. All those in favor say aye; those opposed, no.

The main question was ordered on a viva voce vote.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Orono, Mr. Treworgy, that both Reports be indefinitely postponed on Bill "An Act relating to Waiting Period under Employment Security Law", House Paper 609, Legislative Document 869. Is that the pleasure of the House?

Mr. PLANTE: A roll call has been asked.

The SPEAKER pro tem: Does the gentleman ask a roll call on the motion of Mr. Treworgy?

Mr. PLANTE: Yes.

The SPEAKER pro tem: The gentleman from Old Orchard Beach, Mr. Plante, has requested a roll call.

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

Forty-four members arose.

The SPEAKER pro tem: More than one-fifth having arisen, a roll call is ordered.

The question before the House is the motion of the gentleman from Orono, Mr. Treworgy, that both Reports be indefinitely postponed. When your name is called if you answer "yes" you will be voting for the indefinite postponement of the bill, if you vote "no", obviously you want to keep the bill alive.

The Clerk will call the roll.

ROLL CALL

YEA—Bacon, Baker, Barnett, Berman, Bragdon, Brockway, Brown, Cape Elizabeth; Brown, Ellsworth; Call, Carter, Carville, Caswell, Chapman, Gardiner; Chapman, Norway; Choate, Christie, Clark, Cousins, Cox, Crockett, Danes, Dean, Dennett, Dennison, Dodge, Down, Dumaine, Dunn, Earles, Edgerly, Edmunds, Edwards, Stockton

Spring; Emmons, Ervin, Frazier, Good, Graves, Hancock, Hanson, Bradford; Hanson, Lebanon; Hardy, Harrington, Harris, Heald, Hilton, Hobbs, Hodgkins, Hughes, Hutchinson, Jones, Kennedy, Knapp, Knight, Lindsay, Linnell, Maddox, Mathews, Mathieson, Monroe, Morse, Parsons, Perry, Hampden; Philbrick, Pike, Rankin, Reed, Rollins, Rowe, Limerick; Shepard, Smith, Exeter; Smith, Falmouth; Stanley, Storm, Treworgy, Trumbull, Wade, Walter, Weston, Wheaton, Whiting, Whitman, Williams, Winchenpaw, Young.

NAY—Aliberti, Boone, Briggs, Cahill, Caron, Cormier, Cote, Couture, Coyne, Curtis, Cyr, Augusta; Cyr, Fort Kent; Davis, Westbrook; Desmarais, Dostie, Doyle, Dudley, Dufour, Dumais, Edwards, Raymond; Gallant, Haughn, Healy, Hendricks, Hendsbee, Jacques, Jalbert, Johnson, Karkos, Kellam, Kilroy, Lancaster, Lane, Lantagne, Lebel, Lemelin, Letourneau, Lowery, Maxwell, Miller, Nadeau, Pert, Pitts, Plante, Porell, Prue, Russell, Saunders, Tardiff, Turner, Walls, Walsh, Warren.

ABSENT—Baxter, Beane, Brown, Bangor; Davis, Calais; Jewell, Jewett, Kinch, Lacharite, Mayo, Moore, Perry, Easton; Rowe, Madawaska; Sanborn, Speaker Edgar.

Yes 84, No 53, Absent 14.

Mr. EARLES: Mr. Speaker?

The SPEAKER pro tem: For what purpose does the gentleman arise?

Mr. EARLES: For the purpose of removing a possible doubt in the recording of the vote, with reference to a gentleman from South Portland by the name of Earles.

The SPEAKER pro tem: Would the gentleman defer for one moment? Does the gentleman wish a recapitulation? Do you think there may be an error?

Mr. EARLES: There was no error, Mr. Speaker. My vote was recorded properly, but someone articulated for me and I didn't.

The SPEAKER pro tem: The Clerk will call the gentleman's name.

The CLERK: Earles?

Mr. EARLES: Yes.

Eighty-four having voted in the affirmative, fifty-three having voted in the negative, with fourteen being absent, the two Reports and Bill

were indefinitely postponed and sent up for concurrence.

At this point, Speaker Edgar returned to the rostrum.

SPEAKER EDGAR: The Chair thanks the gentleman from Bangor, Mr. Stanley, for his excellent services.

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

Divided Report

Majority Report of the Committee on Labor reporting "Ought not to pass" on Resolve Creating a Committee to Study Problem of Importing Labor (H. P. 618) (L. D. 886)

Report was signed by the following members:

Messrs. **BATES** of Penobscot
ROSS of Sagadahoc
MacDONALD of Oxford
 — of the Senate.

Messrs. **WINCHENPAW**
 — of Friendship
HARDY of Hope
TREWORGY of Orono
LETOURNEAU of Sanford
KARKOS of Lisbon
HANCOCK of Nobleboro
 — of the House.

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

Report was signed by the following member:

Mr. **MILLER** of Portland
 — of the House.

Reports were read.

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

Mr. **TREWORGY:** Mr. Speaker, in view of the fact that the Federal Government is already in the process of studying this problem, we felt that it would be duplicating their efforts and therefore a waste of the State's money. So in view of the study now going on we decided to Report out "Ought not to pass" on this bill, and I move we accept the Majority "Ought not to pass" Report.

The **SPEAKER:** The gentleman from Orono, Mr. Treworgy, moves

that the House accept the Majority "Ought not to pass" Report.

The Chair recognizes the gentleman from Moscow, Mr. Cahill.

Mr. **CAHILL:** Mr. Speaker and Ladies and Gentlemen of the House: I feel a good deal like a colleague of ours here yesterday when he presented a bill in the Taxation Committee to raise that three per cent to four, he thought that he should hide in the corner somewhere, and I am also reminded of a statement made by another gentleman of the House here that was making a speech the other day when some old gentleman came along and said now what's all this tommyrot about water pollution and raising the taxes on wild land, it's going just as it ought to go right now so let's leave it alone. Perhaps that may be the feeling of some on this particular resolve right here.

This resolve does or would create a committee to study the abuses, and there are many, of bonded labor. Now I am not sure whether everyone here understands why a bond is issued or not, but in the first place the bond is not issued for the purpose of cutting prices, is not issued for the purpose of breaking strikes or anything of that sort, and it has been used for that purpose, and I am sure that perhaps there are many who would rather see it go as it is than to bring anything of this nature into the eyes of the public. I do understand that the Federal Government is making a study on this problem, and I don't know whether or not they will ever come up with anything. It is a real problem, and it is one that we shouldn't ignore. In many cases if a committee was set up to study this thing they would find where there are abuses of many kinds. They have been used in a neighboring state of ours as strike breakers, and that is not the intention of the bond. They are used right here in our own state to set the scale of wages in many areas, and that too is not the intention. I could talk on this thing for a couple of hours, but I won't. I will only say that I hope the motion of the gentleman from Orono doesn't prevail.

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

Mr. HENDSBEE: Mr. Speaker and Members of the House: Just not to be repetitious, but to add a little something to what the gentleman from Moscow. Mr. Cahill, has already told you, we are informed that the Federal Government has a study on this. Well, sometimes these Federal Government studies are long range affairs and it may be a long time before they reach up here. This is a local problem, and it is a problem, I will assure you of that, and they are asking for a committee to be formed to inquire into this thing and see what can be done about it.

Now Mr. Cahill, the gentleman from Moscow, in the area he represents, as a good legislator, he is coming down here to obey the dictates of a lot of timber operators in his area, and he is very justified in so doing. We do have this problem coming up more and more every year, and I feel that it is about time that we did try to do something about it. There is no discrimination here at all. It is simply asking for a committee to study this particular thing. Now it is growing larger every year and the big timber operators are pretty much right there in the middle. They want to know just what can be done about it, because many of them are frowned on for importing labor, and they just don't want to do it unless they have to, but some of them are forced to do it, others are not; and we would like to have this thing studied so we can make recommendations as to what can be done here in our own State without recourse to the Federal Government and probably have to wait a long time to get any facts on the matter.

So with this thought in mind, I would like to go along with the motion of the gentleman from Moscow, Mr. Cahill, that the Minority Report "Ought to pass" be accepted.

The SPEAKER: The Chair would advise the gentleman from Madison, that the question before the House is the motion of the gentleman from Orono, Mr. Treworgy, that the House accept the "Ought not to pass" Report.

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

Mr. MILLER: Mr. Speaker and Ladies and Gentlemen of the House:

I would like to state my position for signing the Minority "Ought to pass" Report in regard to this piece of legislation.

When I first came down to the Legislature, I became acquainted with a gentleman named Jim Cahill who was also a fellow legislator, and he told me of many of the problems that were confronting the areas which he was representing. So with Jim, I went down to the Employment Commission and we started inquiring about the damages that might be done by the importing of Canadian labor into the State of Maine. From the facts that have been presented to me, I am fully of the opinion that the importing of Canadian labor by industry into the State of Maine is slowly wrecking the economy of our State.

Now I want to briefly read to you a report that I received from the Employment Security Commission of an answer to a questionnaire that was mailed out to the operators using Canadian labor. Of the questionnaires sent out, forty-five operators reporting for both July 1958 and December 1955 periods are as follows: American employees were 1134, the visa employees were 344, and the bonded employees were 1527. Now these figures indicate to me that there definitely is a trend toward bringing Canadian labor into the State of Maine, and that definitely a study of this condition would not do any harm to the State of Maine. It might bring out some interesting facts. I know that studies have been made previously, and like anything at the time of the studies the previous study was made, it is quite possible that they might have missed some of the important factors, so therefore, I would like to put myself on record as being in favor of the motion to accept the Minority Report, and also hope that the members of this House will go along and vote against the indefinite postponement of this bill.

The SPEAKER: The Chair would again advise the House that the question before the House is the motion of the gentleman from Orono, Mr. Treworgy, that the "Ought not to pass" Majority Report be accepted.

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

Mr. COUTURE: Mr. Speaker and Members of the House: I rise opposing the motion made by the member of the Labor Committee from Orono. I am very surprised, more than ever, to see a member of a Committee that should be aware of the unemployment in the State of Maine, as I repeated a little while ago, and will not go along on a bill of this kind to see if we can put our people to work in this State. As a labor representative this year which I had 125 men unemployed, I have discovered that in construction in the northern part of Maine, mind me on Federal projects that they had imported Canadian labor on it and our own people was unemployed. Is that member of the Labor Committee that made its sound judgment opposing any legislation toward the labor people of the state that is going to take a stand now to create unemployment more than it is now? Is he aware what's going on in these jobs? Is he aware of how many of our own lumberjacks are laid off in the lumber work? And the Canadians are kept on working. To study this piece of legislation I certainly think it needs more study, and more reports on these constructions, and a sounder report in these woods where there are lumberjacks from Canada up here. They are up here working in our woods when even their entire family are under a pension for each kids that they have at home. They can afford to come down here and work on the lower scales of wages than we can because they don't have the cost of living.

They are replacing our own people at work, and I think that everybody in this House should be aware of that. And if they are not, why don't somebody get up and table this and take time to find out what they are voting for? Thousands of people unemployed in the State of Maine are denied employment with the actions that are going on in this State. Do you believe in importing people in our State here from Canada keeping your people unemployed? That is something that all of you people in the northern part of Maine are aware of, and I certainly hope the motion will not prevail.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Orono, Mr. Treworgy, that the House accept the Majority "Ought not to pass" Report on Resolve Creating a Committee to Study Problem of Imported Labor, House Paper 618, Legislative Document 886.

Will those who favor the motion to accept the Majority "Ought not to pass" Report please say aye; those opposed, no.

A viva voce vote being doubted a division of the House was had. Seventy-one having voted in the affirmative and forty-two in the negative, the motion prevailed and the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Divided Report Tabled and Assigned

Majority Report of the Committee on State Government reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution to Abolish the Council and Make Changes in the Matter of Gubernatorial Appointments and their Confirmation (H. P. 850) (L. D. 1213)

Report was signed by the following members:

Messrs. ROSS of Sagadahoc
HILLMAN of Penobscot
— of the Senate.
Messrs. WADE of Auburn
SANBORN of Gorham
SMITH of Exeter
DENNETT of Kittery
— of the House.

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

Report was signed by the following members:

Mr. LESSARD of Androscoggin
— of the Senate.
Messrs. BARNETT of Augusta
COYNE of Waterville
PLANTE of Old Orchard Beach
— of the House.

Reports were read.

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

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House:

My good friend and seatmate, the gentleman from Gorham, Mr. Sanborn, has informed me that he would love to discuss this particular bill. In lieu of his absence today, I would move that item twenty-seven be tabled until Thursday, April 9.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante, moves that the Resolve and both Reports be tabled and specially assigned for April 9 pending acceptance of either report.

Mr. PLANTE: I humbly request a division.

The SPEAKER: The gentleman requests a division. Will those who favor the motion to table both reports until Thursday, April 9, pending acceptance of either report, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety-two having voted in the affirmative and thirty-three having voted in the negative, the motion to table prevailed.

Passed to Be Engrossed

Bill "An Act relating to County Appropriations to Promote Counties" (S. P. 299) (L. D. 823)

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

Third Reader Amended

Bill "An Act relating to Use of Surplus Funds by Counties" (S. P. 300) (L. D. 824)

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

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

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

HOUSE AMENDMENT "A" to S. P. 300, L. D. 824, Bill, "An Act Relating to Use of Surplus Funds by Counties."

Amend said Bill in the 5th line by striking out the underlined words "A county" and inserting in place thereof the underlined words "The county commissioners of any county"

House Amendment "A" was adopted, the Bill passed to be engrossed

as amended by House Amendment "A" in non-concurrence and sent to the Senate.

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

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

Third Reader Tabled and Assigned

Bill "An Act Exempting Hospital Thrift Shops from Sales Tax" (H. P. 700) (L. D. 1000)

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

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

Bill "An Act relating to Time of Enrollment of Voters" (H. P. 858) (L. D. 1226)

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

Third Reader Tabled and Assigned

Bill "An Act relating to Splash Guards for Certain Trucks" (H. P. 870) (L. D. 1215)

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

(On motion of Mr. Williams of Hodgdon, tabled pending third reading and specially assigned for tomorrow.)

Resolve relating to Ferry Terminals at Islesboro and Lincolnville (S. P. 367) (L. D. 1050)

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

Amended Bill

Bill "An Act relating to Type of Lights on School Buses" (H. P. 330) (L. D. 477)

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

Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair now lays before the House item number one under tabled and today assigned matters. An Act Amending the Charter of the City of Biddeford, House Paper Paper 842, Legislative Document bled on March 19 by the gentleman from Biddeford, Mr. Lantagne, pending passage to be enacted; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman the House voted to suspend the rules.

The SPEAKER: The Chair now recognizes the same gentleman.

Mr. LANTAGNE: Mr. Speaker, I now move that the House reconsider its action taken on March 10 whereby it passed to be engrossed House Paper 842, Legislative Document 1163, An Act Amending the Charter of the City of Biddeford.

The Speaker: The gentleman from Biddeford, Mr. Lantagne, moves that the House now reconsider its action whereby it passed to be engrossed Bill "An Act Amending the Charter of the City of Biddeford". Is this the pleasure of the House?

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

Mr. CARON: Mr. Speaker, Mr. Lantagne, Ladies and Gentlemen of the House: I would like to be heard briefly on this subject if I may.

In reference to the amending of the Charter of the City of Biddeford, L. D. 1163, which was a redraft by the Committee, the bill in question was debated for several hours before the Committee, as a matter of fact, we had to move from the small room to a larger room to enable the parties present to hear the discussion.

This is a bill to elevate the amount of property that the City of Biddeford is allowed to own under the Charter, and that is all it is. This bill was brought forth before this House for the reasons which are as follows: As the Mayor of Biddeford stated before the PTA in the City of Biddeford, that he wishes to build a school, which was voted on about five years ago by the voters of the City of Biddeford. I will not attempt to tell you of the emergency that exists because it would take us too long. I have attended the public schools of Biddeford and my chil-

dren attend the public schools of Biddeford and I am also a member of the PTA and my wife is an executive member of the PTA. We know of the existing situation which now exists and I am sure that the unanimous report of this Committee on Legal Affairs which redrafts the bill, including the bill of the gentleman from Biddeford, Mr. Lantagne, in its entirety and including the emergency bill will surpass and this will not be allowed to be done.

The SPEAKER: The question before the House is the motion of the gentleman from Biddeford, Mr. Lantagne, that the House reconsider its action whereby it passed this bill to be engrossed.

The Chair recognizes the gentleman from Sebago, Mr. Good.

Mr. GOOD: Mr. Speaker and Ladies and Gentlemen of the House: The Legal Affairs Committee has come out with a unanimous recommendation for passage of this bill which you now have before you, which is L. D. 1163, which is a compromise of two prior bills. I will try to keep this as simple as possible.

Now, I think the thing in question here is whether or not there is going to be an emergency clause on the bill before you, and which has been recommended by the Committee, that is all that I think is at stake here. Perhaps if I sat down at that particular moment, why I would have answered all the questions but some people don't know when to stop talking so I will say a few more words.

There were two bills introduced, evenly introduced by the gentleman from Biddeford, Mr. Caron and Mr. Lantagne. The first bill introduced by Mr. Caron, which has been killed since it was recommended by the Committee that it "Ought not to pass, contains the emergency clause, but authorized the city council to borrow up to six million dollars. So in the bill that you have before you we have knocked the six million off and put on the request which Mr. Lantagne asked for of five million and we kept Mr. Caron's emergency on, we thought we were being pretty smart. That is the position of the Committee at this particular time, and I hope that the motion of the gentleman from Bid-

deford, Mr. Lantagne, does not prevail.

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

Mr. LANTAGNE: Mr. Speaker, there is no emergency existing whatsoever on the bill I have presented. I have said many times that my bill was the bill recognized and wanted by my people in Biddeford as a whole. That bill was drafted, I mean my original bill, by the city government with the approval of the PTA, the school board, the superintendent of schools and all those interested in schools, and I just want to tell you that an emergency does not exist and there is no question whatsoever of the Committee on their report, not of the Committee as a whole Committee or individuals. But I know what my people want and my city wants and I hope that the motion will prevail.

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

Mr. KELLAM: Mr. Speaker and Members of the House: We had an unusual situation here in that we have two bills that seem to want to do the same thing except for this emergency clause. We had a large audience for it and we had some people, I would say a small number of people or a few people who appeared to be disinterested in the fashion of which bill should be selected. Those people, they were PTA people or unaffiliated, they weren't coming as PTA people, but women who had children in the schools, and since the argument was they needed a higher debt limit to build a new school, they seemed to imply that they preferred that it was an urgent situation and that they would prefer the emergency on it, and that is the reason that I felt we should leave the emergency on either one or the other bills or a new bill.

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

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

The SPEAKER: The gentleman from Portland, Mr. Briggs, has moved the previous question. In order for the Chair to entertain the motion for the previous question the

Chair must have the approval of one-third of the members of the House.

Will those who favor the Chair's entertaining the motion for the previous question please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-third having arisen, the Chair is authorized to entertain the motion for the previous question. The question now before the House is — shall the main question be put now? The effect of this question is to cut off debate and this question is itself debatable with a time limit of five minutes.

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

Mr. NADEAU: Mr. Speaker and Members of the House: I realize that everybody wants to go to dinner, but on the other hand the opposition to the emergency has no chance at all to express their opinion, and I know I have no right to discuss the question just now.

The SPEAKER: The gentleman may discuss the question of whether the main question shall be put now.

Mr. NADEAU: I still believe that they ought to give us the privilege of rebuttal to the gentleman from Biddeford because we don't agree with him on the question of emergency. An emergency is a question — an emergency is to consider what is to be done and we are not supposed to make a farce out of an emergency.

The SPEAKER: The question still before the House is — shall the main question be put now?

Will those in favor of the Chair's putting the main question now please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The main question is the question of the gentleman from Biddeford, Mr. Lantagne, that the House reconsider its action whereby it passed this bill to be engrossed.

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

A viva voce vote being taken, the motion prevailed.

Thereupon, Mr. Lantagne of Biddeford offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 842, L. D. 1163, Bill, "An Act Amending the Charter of the City of Biddeford."

Amend said Bill by striking out all of the Emergency Preamble, and all of the Emergency Clause.

The SPEAKER: The question now before the House is the motion of the gentleman from Biddeford, Mr. Lantagne, on the adoption of House Amendment "A".

The Chair recognizes the same gentleman.

Mr. LANTAGNE: Mr. Speaker, I have here telegrams and letters which may be too long to read before the House. I had no intention of taking up the time of the House but I was forced into the situation when I knew very well, as most of my people also knew, there was no emergency existing.

At the hearing my own bill, 607, was not opposed in any way, shape or manner. The bill of the gentleman from Biddeford, Mr. Caron, was taken up and he has withdrawn his bill. So I won't comment on it except just to say that the reaction to his bill while we were in the Committee meeting, there was only one woman who said, "I go with Mr. Caron on his bill." But she added promptly that any bill as long as we get a bill. So, Gentlemen, I don't see why an emergency exists, and I know the reason why this emergency was found but I will not go into it. So I ask you Ladies and Gentlemen to support the amendment.

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

Mr. CARON: Mr. Speaker, Mr. Lantagne, Ladies and Gentlemen of the House: The amendment, as I read the amendment before me, is exactly what was attempted to do a few minutes ago, to take the emergency clause off the bill as redrafted by the Committee, and the House has just voted not to take the emergency clause off. I am not going to go into any dissertation any further. You have heard the report from the Committee and you found

in your power to vote the way you did, and I leave it entirely up to you but I am opposed to this amendment because it does exactly the same thing, exactly the same, as we just voted down. Thank you very much.

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

Mr. JALBERT: Mr. Speaker, I rise for a point of information here. What did we vote on? I don't think we voted anything down here. As I understand it, we voted to reconsider our action whereby we passed this bill to be engrossed for purposes of an amendment.

The SPEAKER: The gentleman is perfectly correct. An amendment has been offered and the question before the House is on the adoption of the amendment.

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

Mr. LINNELL: Mr. Speaker and Members of the House: In further defending the action, the unanimous action of the Legal Affairs Committee on this matter, I just want to point out that in the unanimous opinion of the Committee an emergency does exist, secondly, that this bill is not forcing the City of Biddeford to do anything, it merely authorizes them to increase the amount of property which they may hold by five million dollars. I, therefore, would oppose the passage of the amendment offered by the gentleman from Biddeford, Mr. Lantagne.

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

Mr. LANTAGNE: Mr. Speaker, I was born and brought up in the City of Biddeford and I know what the people want, and I say again there is no reflection whatsoever on this Committee. There was opposition between two members of the same city in the House, and their bill, their own bill as came out to this House, I find no fault with it. But I think I am better fitted to know what is going on at home, and this emergency is absolutely unnecessary. I am not asking a long debate on it, I am not looking for a long debate, but I still believe and respect constituted authority, in this

case your duty is at home. I like to see that the public school system of this country is expanded and I am for it. But in the emergency existing in this occasion, I just call for a vote not to satisfy my pride because I am not doing this for pride, but to give the people of Biddeford what they want. I am only asking for American fair play and justice.

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

Mr. NADEAU: Mr. Speaker and Members of the House: Emergency means, to the best of my knowledge, something that is to be done at once. If you have a fire, if you have a conflagration or anything of that kind, or if you vote a certain amount of money to help a town with its town meeting it has got to be done on an emergency basis, or like when they passed the sales tax it was an emergency because they knew if it was put in as an emergency it was going to be killed by the people because the people didn't want a sales tax. Two years ago we passed a tax on automobiles, one dollar more, when it passed the people had the right to appeal and they did appeal and they killed what we already had done.

In ninety-nine cases out of a hundred they won't do this even if you pass it with an emergency, I mean if you don't pass an emergency. Ninety-nine times out of a hundred they won't do it. What is being done is depriving them of the privilege of appealing to your decision. I submit that the people of Biddeford should have a school, that we ought to have a school, and when they voted one time they were in favor of the school it was a grade school, now they have changed their mind and it is a high school. The Mayor and the Council have voted to build a school, they hope to build a school sometime, they want this five million on the books and when they really need the money it will be there to be spent without waiting for the Legislature to convene. So it is up to you gentlemen, if you think there is an emergency, vote it, but at the same time you will be making a farce of emergency because an emergency is urgent, something that has got to be done

at once. And no matter if you vote emergency or not, they will not build a school by the time we reconvene because they have taken no vote on it. And that is about all I will say no matter whether you vote on it or not because we don't want to hold the discussion up. Thank you.

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

Mr. CARON: I apologize for rising once more. I will say this very briefly. Five years ago the citizens of Biddeford voted for a new school, which we are, God only knows, in dire need of, to the extent that next year it would be necessary to have two shifts like in a factory in our high school. I know the situation because my children attend the public schools.

I have telegrams in front of me which I will read briefly. "We are in favor of passage of legislation increasing the property limitation of the City of Biddeford." And this comes from five gentlemen, who are on the Executive Committee of the PTA. I also have another telegram which reads the same, it is from the Executive Committee of the women of the PTA, of which my wife is a member.

I will further elaborate because they will use that against me, I will give this brief summation of what happened, I hate to bring it up on the floor. Five years ago we voted to have a school in Biddeford. The present mayor formed a committee and located a piece of land. He was defeated. The next mayor threw everything right out, believe me, the committee and everything, and started his own committee, and spent \$20,000 to formulate plans to hire attorneys to take the land by eminent domain in the City of Biddeford. From that point, Ladies and Gentlemen, our mayor was defeated and this new mayor has done nothing for years but discharge this present committee. We are \$20,000 out. We have nothing. We have the poorest school conditions I think, and I hate to say this, probably in the State and something must be done for our children. The mayor said he would build a school but he couldn't because the amount of

property limitations does not allow him to. I say give it to him.

The gentleman in charge of all our schools in our area got up before the PTA and said to me personally, the emergency would allow us to build the school six to eight months ahead of time. If this emergency clause does not prevail it means that the bill will become effective in August or September and the mayor will use it for political advantages, and from that point on if another mayor is elected we are back to where we started from. I pray to God that you will see fit to leave this emergency on and give us an opportunity to have a school and get this right out of politics, it doesn't belong in politics. Thank you very much for listening to me, I am sorry I had to speak so long. I would like a division.

The SPEAKER: The gentleman requests a division. Now, the Chair must remind both Mr. Lantagne and Mr. Caron that you have both spoken twice to the same motion and must have unanimous consent of the House before you may speak again.

Thereupon, the House refused Mr. Lantagne of Biddeford leave to address the House a third time.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Biddeford, Mr. Lantagne, that the House adopt House Amendment "A" to Bill "An Act Amending the Charter of the City of Biddeford", House Paper 842, Legislative Document 1163. A division has been requested.

Will those who favor the adoption of House Amendment "A" please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-nine voted in the affirmative and fifty-nine in the negative.

The SPEAKER: The Chair would advise the House that under the Rules of the House the Chair may vote in favor of the motion, and by not voting negates the motion. In this case the Chair will not vote and the motion is lost, fifty-nine having voted for it and fifty-nine having voted against it.

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

The SPEAKER: The Chair now lays before the House item number two under tabled and today assigned matters, Resolve Naming Maine Mountains the "Longfellow Mountains of Maine", House Paper 593, Legislative Document 839, tabled on March 27 by the gentlewoman from Rumford, Miss Cormier, pending final passage, and the Chair recognizes that gentlewoman.

Miss CORMIER: Mr. Speaker and Members of the House: I tabled this bill merely to get some information. I was a little bit afraid that perhaps the peaks of ours in the State of Maine might lose their local identity if the range was called the Longfellow Range of Maine. After checking with the gentleman from Milo, Mr. Brockway, who by the way is very much interested in this bill, and with several other members, I find that the maps of the State of Maine or the maps of the various vicinities in Maine will still bear, or the peaks on those maps, will still bear the names of Mount Blue, for example, or Mount Speck. Consequently, they will not be losing their identity. If this bill is going to bring some publicity to the State of Maine, which is what the proponents of the bill, claim it will, then I have no objection beyond this and so I would let the bill go on its way.

Thereupon, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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

Mr. ERVIN: Mr. Speaker, I arise to inquire whether the Clerk has in his possession Legislative Document 1098, "An Act relating to the Inspection of Motor Vehicles"?

The SPEAKER: The Chair would advise the gentleman that the Clerk does have that document in his possession.

Mr. ERVIN: Mr. Speaker, in yesterday's action, having voted on the prevailing side to indefinitely postpone this bill, I would now move to reconsider our action of yesterday. My purpose in doing this is that the vote was so close that there seemed to be perhaps some doubt, and I would ask for reconsideration at this time.

The SPEAKER: The gentleman from Houlton, Mr. Ervin, moves that the House now reconsider its action whereby it indefinitely postponed the report on Bill, "An Act relating to the Inspection of Motor Vehicles."

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

Mr. DUDLEY: Mr. Speaker, only yesterday we made the decision on this and it was quite satisfactory, and I hope we don't get into another long debate upon this question. I am sure that the honest dealers of the State of Maine would rather give a man the sticker than charge him a dollar and make sticker lappers out of a lot of people just for a dollar, and I hope that the motion does not prevail.

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

Mr. TURNER: Mr. Speaker, he is a little late, and we had a pretty fair fight on this yesterday. I think the vote was fairly close but I was on the winning side. Last night the third house went to work on quite a lot of the boys, and I dread to see the outcome. This is just another raid on the family budget, and every time this next session meets we will pass little laws here and there, a dollar here, a dollar there, and before we get out we have raided the budget of the families to the tune of twenty or thirty dollars. This is nothing more than a "Santy Clause" Bill for the garages, and it is an increase in their salary of inspecting cars one hundred per cent, and it seems as though that is quite an increase.

I noted last Monday in the Sun, after the holidays there was around fifteen automobile accidents listed, and several of these were caused by drunken driving, several by claiming the right of way and parking and such, and then there were several that ran off the roads and ran into trees, one thing and another and rolled over. Now, there wasn't one of them attributed to poor inspection. Years ago we used to ride along and meet a lot of these one-eyed cars. Today, the only one-eyed car that I have heard of was the Speaker the other night, he happened to have one eye on his and he was so disturbed about it that

right in that driving snow storm he had to go into a garage and have that fixed.

Now, this would add more State Police, and we today have around 225 working for us, and I think they are doing a pretty good job. They have a right to hold up lines of traffic and have a session of inspection. I know last Fourth of July, just before the Fourth they had quite a drive on, and right out here to Manchester they had six, four cops and two Fish and Game men there inspecting cars and passing out pamphlets to drive slow. Now, if we pass this bill probably there will be two more added to that gang the next Fourth.

You find fault with the inspection today, of course, there might be once in a while a little crookedness going along, but they say there is a black sheep in most any family. I know some of these bigger garages are hunting for more business, I know one garage in particular, they are a big outfit, they have one man and he is hired and all he practically does is set back speedometers, so I don't think we are going to have any more of an honest deal by going further. I move that we do not accept this.

The SPEAKER: Is the House ready for question?

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

Mr. CURTIS: Mr. Speaker, I would just like to draw the attention of the Members here that this would cost the people who sent you up here to look after their affairs an extra \$600,000, of course the State would get some thirty thousand from it. It looks to me a lot of money to put out for the State to get a little mite of money. Now, I am sure that if this bill were to be enacted that there would be a great many people go into the sticker business who were not properly set up to do the thing. That is, they wouldn't have the right equipment and they wouldn't have the things whereby they could do it. I would also remind you that if you go in for a sticker, which I am going in on Monday, and if they find anything wrong, the least wrong, even if like the Speaker's car there was one light, they won't go any farther, they will walk right over and punch

the clock and while they are putting that three dollar and a half unit in, on which they are making probably forty or fifty per cent on, they will charge you three dollars an hour while they are doing it. Now, this is legitimate and fair and I don't howl about it a bit. As far as inspection is concerned, why if any work has to be done whatsoever, you are going to pay three or four dollars an hour to have it done. This is just simply another gimmick to give away \$600,000 of the people's money.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Houlton, Mr. Ervin, that the House reconsider its action whereby it indefinitely postponed the "Ought to pass" Report on Bill, "An Act relating to the Inspection of Motor Vehicles," House Paper 780, Legislative Document 1098. The Chair is going to order a division.

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

A division of the House was had.

Twenty-eight having voted in the affirmative and ninety-six in the negative, the motion to reconsider did not prevail.

Out of order and under suspension of the rules, Mr. Bacon of Sidney presented the following Order and moved its passage:

WHEREAS, the Honorable Speaker successfully concealed the fact of his birth on APRIL FOOLS DAY, and

WHEREAS, no such momentous event should go unrecognized

BE IT ORDERED THAT the following lines express the belated felicitations of us all

We used to talk of SNEAKY PETE
But now it's CAGEY JOE
He had himself a birthday
And didn't let us know
We found a little tattle-tale
There's one in every school
So Happy Birthday — one day late
We don't mean APRIL FOOL

The Order received passage.

Thereupon, "Happy Birthday" was sung to the Speaker amid applause of the House, the members rising.

The SPEAKER: The Chair would state that the sentiments behind the order were far better than the singing. The Chair would also state that over a long period of years the Chair has learned by sad experience that it does not pay to let anybody know that my birthday was on April 1, but I do want to thank you all very, very much and I will even forgive you, Mr. Bacon, for revealing the secret that I entrusted to you in confidence.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Reed.

Mr. REED: Mr. Speaker, I wonder, under suspension of the rules and out of order, if the House would reconsider its action on item nine under Reports of Committees. I wonder if they would consent to table this until next Tuesday. I would like to speak on it briefly at that time.

The SPEAKER: The gentleman from Woolwich, Mr. Reed, moves that the House reconsider its action whereby it accepted the "Ought not to pass" Report on Bill, "An Act to Create a Water Pollution Abatement Program," House Paper 662, Legislative Document 953.

The Chair recognizes the gentleman from Woodstock, Mr. Whitman.

Mr. WHITMAN: Mr. Speaker and Members of the House: I arise to oppose the motion to reconsider. I think it would be a useless waste of time. This bill will be coming up for third reading, I think perhaps the motion to table would be in order—

The SPEAKER: The Chair would advise the gentleman the bill will not be coming up for third reading. The "Ought not to pass" Report was accepted.

Mr. WHITMAN: I am sorry. But I would like to say that we have a unanimous report on this thing, and I think the outcome would be probably very much the same and I think it would be a complete waste of time to spend a lot more time tabling and reconsidering this bill. Thank you.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House:

I wish to support the gentleman from Woolwich. I just wondered when this was being killed what we were all thinking about. Now, if any of you people live around the Andros-coggin River, even yesterday when I drove across the bridge in Brunswick the smell was terrible. Now, this bill does not ask that any particular action be taken right now but it is to set up something over a ten year period, I believe, somewhere, at least get a start to do something about the pollution of our water. Other states are doing it. Pennsylvania, as you know, doesn't allow any such things, they have cleaned up their waters. In Canada they don't allow any such pollution of their places at all. Our rivers are in such a state that I feel it would be well if we considered this bill again, and perhaps we would start something, it might be long range, but I believe it would be for the benefit of everybody.

The SPEAKER: The Chair recognizes the gentleman from Bethel, Mr. Saunders.

Mr. SAUNDERS: Mr. Speaker, as a member of the Natural Resources Committee, we took this matter under consideration and spent quite a bit of time on it. I have been a member of this Committee for two sessions, and I think perhaps I have worked as hard on pollution as many of the other members on that committee. Certainly we are all for cleaning up our rivers, however, I wish you would stop just a moment and think of what three major rivers need. They are long and it would take a tremendous amount of time, and a question was asked of Mr. MacDonald of the Water Improvement Commission, even if this was done, could his department do this in ten years, and he said no, probably not in twenty years with the staff that they now have. In other words, we would have to double our staff and it would cost the State hundreds of thousands of dollars to do this thing. I am for

cleaning up rivers too, but I don't believe we can do it in ten years.

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

Mr. ROLLINS: Mr. Speaker, I would ask a question of the gentleman from Woolwich through the Chair.

The SPEAKER: The gentleman may state his question.

Mr. ROLLINS: Mr. Speaker, I wonder if his reason for reconsideration is that he intends to place an amendment on this bill?

The SPEAKER: The gentleman from Belfast, Mr. Rollins, has addressed a question through the Chair to the gentleman from Woolwich, Mr. Reed, who may answer if he chooses.

Mr. REED: I too am for cleaning up the rivers in this State, and if it is in order—

The SPEAKER: The gentleman will please confine his remarks to answering the question that was addressed to him.

Mr. REED: I have no particular amendment in mind, but I would be glad to.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Woolwich, Mr. Reed, that the House reconsider its action whereby it accepted the "Ought not to pass" Report of the Committee on Bill, "An Act to Create a Water Pollution Abatement Program," House Paper 662, Legislative Document 953.

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

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

On motion of Mr. Jones of South Portland,

Adjourned until one o'clock tomorrow afternoon.