

# 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

Tuesday, May 5, 1959

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

Prayer by the Rev. Mr. Douglas H. Robbins of Augusta.

The journal of yesterday was read and approved.

### Papers from the Senate Senate Reports of Committees Ought to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Bill "An Act to Continue the Citizens Committee on Survey of State Government" (S. P. 321) (L. D. 897)

Report of the Committee on Towns and Counties reporting same on Bill "An Act relating to Increase in Temporary Loans for County of Kennebec" (S. P. 465) (L. D. 1329)

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.

### Ought to Pass with Committee Amendment

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Powers of Board of Trustees of Maine Maritime Academy" (S. P. 245) (L. D. 628) 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. 245, L. D. 628, Bill, "An Act Relating to Powers of Board of Trustees of Maine Maritime Academy."

Amend said Bill in the next to the last paragraph by inserting in the first line, after the underlined word and punctuation "money," the following underlined words and punctuation: 'not in excess of \$1,-000,000 in the aggregate.'

Further amend said Bill in the next to the last paragraph by striking out in the 3rd line the underlined words "capital improvements" and inserting in place thereof the underlined words 'the construction of dormitories with kitchen facilities'

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

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Create a State of Maine Authority for Emergency and Fire Fighting Training" (S. P. 361) (L. D. 1044) 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. 361, L. D. 1044, Bill, "An Act to Create a State of Maine Authority for Emergency and Fire Fighting Training."

Amend said Bill in the 1st line of section 2 by striking out the figure "350,000" and inserting in place thereof the figure '1,000'

Further amend said Bill by striking out all of the last two lines of section 2 and inserting in place thereof the following:

'shall remain a continuing carrying account until June 30, 1961'

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

Report of the Committee on Appropriations and Financial Affairs on Resolve Providing for Biographical Sketches of Maine Composers

(S. P. 90) (L. D. 208) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read and accepted in concurrence and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to S. P. 90, L. D. 208, Resolve Providing for Biographical Sketches of Maine Composers.

Amend said Resolve by striking out in the 3rd line the figure "1,000" and inserting in place thereof the figure "750".

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

#### Divided Report Tabled and Assigned

Majority Report of the Committee on Labor reporting "Ought not to pass" on Bill "An Act Establishing a Minimum Wage" (S. P. 59) (L. D. 92)

Report was signed by the following members.

Mr. MacDONALD of Oxford  
— of the Senate.  
Messrs. LETOURNEAU of Sanford  
MILLER of Portland  
KARKOS of Lisbon  
TREWORGY of Orono  
WINCHENPAW of Friendship

HARDY of Hope  
— of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (S. P. 472) (L. D. 1337) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. ROSS of Sagadahoc  
BATES of Penobscot  
— of the Senate.  
Mr. HANCOCK of Nobleboro  
— of the House.

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

In the House: Reports were read.

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

Mr. TREWORGY: Mr. Speaker, since we have assigned for tomorrow another minimum wage bill, I would now move that both Reports be tabled and assigned for Wednesday, May 6.

The SPEAKER: The gentleman from Orono, Mr. Treworgy, moves that both Reports be tabled and specially assigned for tomorrow pending acceptance of either Report. Is this the pleasure of the House?

The motion prevailed.

#### Non - Concurrent Matter

Majority Report of the Committee on Claims reporting "Ought not to pass" on Resolve to Reimburse the City of Portland for Support of Joseph A. and Madelon E. Glidden (H. P. 788) (L. D. 1120) and Minority Report reporting "Ought to pass" on which the House on May 1 voted to adhere to its action whereby the Reports and Resolve were indefinitely postponed.

Came from the Senate with that body voting to insist on its former action whereby the Resolve was passed to be engrossed in non-concurrence, with the following Conferencees appointed on its part:

Mrs. LORD of Cumberland  
Messrs. WEEKS of Cumberland  
CHARLES of Cumberland

In the House:

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

Mr. HUGHES: Mr. Speaker, I don't quite understand the parliamentary procedure on this. I thought we had killed it a couple of times.

The SPEAKER: The Chair would advise the gentleman that a motion to adhere would be in order, or a motion to recede and concur and join in a Committee of Conference would be in order.

Mr. HUGHES: I move we adhere to our former action.

The SPEAKER: The gentleman from St. Albans, Mr. Hughes, moves that the House adhere. Is this the pleasure of the House?

The motion prevailed on a viva voce vote.

### Orders

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

Mr. LINNELL: Mr. Speaker, I would inquire whether L. D. 1341 is still in the possession of the House.

The SPEAKER: The Chair would advise the gentleman that it is.

Mr. LINNELL: Mr. Speaker, I would now move that the House reconsider its action whereby L. D. 1341 was passed to be engrossed yesterday, having been one of those who voted in the affirmative.

The SPEAKER: The gentleman from South Portland, Mr. Linnell, now moves that the House reconsider its action whereby yesterday it passed to be engrossed, Bill "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1960 and June 30, 1961," House Paper 946, Legislative Document 1341.

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

Mr. STANLEY: Mr. Speaker, I wonder if I might in order to place an amendment on 1341, table 1341 until Thursday of this week, May 7, pending the motion of the gentleman from South Portland.

The SPEAKER: The gentleman from Bangor, Mr. Stanley, now moves that the motion of the gentleman from South Portland, Mr. Linnell, be tabled pending passage and be specially assigned for Thursday, May 7.

Is this the pleasure of the House?  
The motion prevailed.

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

### House Report of Committee Divided Report

Majority Report of the Committee on Labor on Bill "An Act relating to Disqualification of Benefits under Employment Security Law" (H. P. 755) (L. D. 1073), which was recommitted, reporting same in a new draft (H. P. 957) (L. D.

1356) under same title and that it "Ought to pass."

Report was signed by the following members:

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

Messrs. MILLER of Portland  
LETOURNEAU of Sanford  
KARKOS of Lisbon  
HANCOCK of Nobleboro  
WINCHENPAW of  
Friendship  
TREWORGY of Orono  
— of the House.

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

Report was signed by the following member:

Mr. HARDY of Hope  
— of the House.

Reports were read.

On motion of Mr. Winchenpaw of Friendship, the Majority Report "Ought to pass" was accepted, the Bill read twice and tomorrow assigned.

### Passed to Be Engrossed

Bill "An Act Revising the Law Relating to Education of Physically Handicapped or Exceptional Children" (S. P. 480) (L. D. 1350)

Bill "An Act relating to Election of Council Members of City of Portland" (H. P. 211) (L. D. 302)

Bill "An Act Creating the Merry-meeting Bay Game Sanctuary" (H. P. 954) (L. D. 1354)

Bill "An Act relating to Petition for Review of Incapacity under Workmen's Compensation Act" (H. P. 955) (L. D. 1355)

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

### Amended Bill

Bill "An Act Amending the Interpleader Compact" (S. P. 256) (L. D. 669)

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.

### Constitutional Amendment Tabled and Assigned

Resolve Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions (H. P. 849) (L. D. 1212)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

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

Mr. WADE: Mr. Speaker, this is an important constitutional amendment and a number of people have asked for some time to consider it further. I therefore move that it lie on the table until Thursday, May 7.

The SPEAKER: The gentleman from Auburn, Mr. Wade, moves that this Resolve be tabled pending final passage and be specially assigned for Thursday, May 7. Is this the pleasure of the House?

The motion prevailed.

### Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the first tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Public Utilities on Bill "An Act to Protect the Health and Safety of Railroad Employees," House Paper 767, Legislative Document 1085, tabled on April 28 by the gentleman from Bowdoinham, Mr. Curtis, pending the motion of the gentleman from Bridgton, Mr. Haughn, to accept the Minority Report.

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

Mr. HAUGHN: Mr. Speaker, first I want to thank Mr. Curtis, the gentleman from Bowdoinham, for the courtesy he extended to me to table this bill. Secondly, I would like to convey to the House the message regarding this bill and the one following this. I held a conference last week with both parties concerned, the railroad and the railroad brotherhood. They have agreed to call a meeting this week Wednesday and another meeting Thursday with the several railroads to go over these two bills, and through that it is possible they may be able to settle their own prob-

lems. Therefore, I would ask the courtesy of this House to table this bill and specially assign it for Friday pending the return of that report from those committees.

The SPEAKER: The gentleman from Bridgton, Mr. Haughn, moves that both Reports be tabled and specially assigned for Friday, May 8, pending the motion of the same gentleman to accept the Minority Report. Is this the pleasure of the House?

(Cries of "No.")

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

Mr. HAUGHN: Not to question the ability of the Speaker, but I request a division.

The SPEAKER: The Chair has been doubted and orders a division. Will those who favor the motion to table, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Sixty-three having voted in the affirmative and forty-nine having voted in the negative, the motion to table did prevail.

The SPEAKER: The Chair now lays before the House the second tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Public Utilities on Bill "An Act relating to Use of Train Order Line-Ups for Railroad Track Motor Cars," House Paper 768, Legislative Document 1086, tabled on April 28 by the gentleman from Bridgton, Mr. Haughn, pending acceptance of either Report; and the Chair recognizes that gentleman.

Mr. HAUGHN: Mr. Speaker, this same bill pertains to the item previous which both of those bills are being considered, and I would ask the same courtesy that this be tabled and specially assigned with the other one for Friday.

The SPEAKER: The gentleman from Bridgton, Mr. Haughn, moves that both Reports be tabled and specially assigned for Friday, May

8, pending acceptance of either Report. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair now lays before the House the third tabled and today assigned matter, Bill "An Act Exempting Hospital Thrift Shops from Sales Tax," House Paper 700, Legislative Document 1000, tabled on April 29 by the gentlewoman from Rumford, Miss Cormier, pending further consideration. This bill was passed to be engrossed in the House and was indefinitely postponed in the Senate in non-concurrence.

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

Mr. LOWERY: Mr. Speaker, since this was tabled in the absence of the sponsor of the bill, the gentleman from Brunswick, Mr. Lacharite, I talked with him last night and he assured me that he would be in this morning but would necessarily be late. I therefore ask that this bill be tabled until later in today's session.

The SPEAKER: The gentleman from Brunswick, Mr. Lowery, moves that this Bill be tabled and specially assigned for later in today's session pending further consideration. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair now lays before the House the fourth tabled and today assigned matter, Bill "An Act relating to Chiropractic Treatment Under Workmen's Compensation Law," House Paper 940, Legislative Document 1327, tabled on May 1 by the gentleman from Old Orchard Beach, Mr. Plante, pending passage to be engrossed.

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

Mr. TURNER: Mr. Speaker, I move this bill receive passage.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker and Members of the House: I shall move that this bill be indefinitely postponed and I would address the House briefly to that motion.

If, Ladies and Gentlemen of the House, you would take heed and pay attention to this bill, I think that you will note it contains what might be classed as several discrepancies that might work an extreme, or I don't want to use the word "hazard," but it would be extremely difficult under the Workmen's Compensation Law if this measure was ever passed.

First of all, the bill itself notes that during the first 30 days after an injury, and the word "aforesaid" is struck out. Under the law as it stands in Section 9, the law reads: "During the first 30 days after an injury aforesaid . . ." and aforesaid pertains to Section 8, where it goes on to state, "the injuries of a workman in the course of his employment . . ." By striking the word "aforesaid" out of the bill, it practically brings it into a category where most any injury would come under the Workmen's Compensation and a great question of doubt, even if a man in his own home fell and was injured, that he might claim under the Workmen's Compensation Act.

Now, secondly, this brings in under the act Chiropractors. Now, a Chiropractor is strictly limited in his practice, and here is the definition of Chiropractic under the law: "The system, method or science commonly known as Chiropractic, or the practice of Chiropractic is defined to be the science of palpating and adjusting the segments and articulation of the human spinal column by hand, and locating and correcting interference with nerve transmission, and expressing by hand or by electrical treatment hydro therapy and diet without the use of drugs or surgery, and any or all other methods are declared not to be Chiropractic, and Chiropractic is declared not to be the practice of medicine, surgery, dentistry or osteopathy."

Now, under Workmen's Compensation the accidents which are most frequent, and perhaps practically 100 per cent, are those which involve fractures and lacerations. Certainly a Chiropractor under no conditions would be allowed to practice on a patient because they are not permitted to use antiseptic, take stitches, repair fractures or lacerations.

tions or apply bandages or splints. Neither can the patient gain admission to any hospital when he is receiving treatment at the hands of a Chiropractor. They are limited by law to the use of hands on the spinal column in such cases; hence, they should not seek to take over and treat industrial accident cases, which almost entirely involve the said lacerations and fractures.

Now, we could go on at length, but to be brief, I think that I have hit the point. I think you can see why this law or this bill would not be workable under the Workmen's Compensation Law. Ever since 1945, that is fourteen years ago, bills of this nature have been introduced into this Legislature and in every instance have been turned down, and I sincerely hope my motion to indefinitely postpone will prevail. When the vote is taken I ask for a division.

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

**MR. MILLER:** Mr. Speaker and Ladies and Gentlemen of the House: Today I arise briefly to speak with reference to L. D. 1327, "An Act relating to Chiropractic Treatment Under Workmen's Compensation Law."

The Doctor of Chiropractics is a member of the fastest growing branch of the healing profession. The Doctor of Chiropractics stands in his community today as a strong force in the prevention of disease and cure of the sick. Several million persons have sought his professional skill over the years. Each year over two million new patients seek the aid of 25,000 Chiropractors.

Today's Chiropractor is found practicing in most cities and many rural areas. He and his family are respected members of his community, taking active part in civic, church and service affairs. The Doctor of Chiropractics is allowed by state law a license to practice in forty-six states and territories of Puerto Rico and District of Columbia. All but five permit them to practice under Workmen's Compensation Laws. All but sixteen allow them to make examinations for insurance and the Veterans Adminis-

tration has fully recognized Chiropractic education under its G.I. Bill.

With the passage of time and the improvement in the training and the standards of the profession, further evidence of this acceptance is forthcoming. Now, 500 life and accident insurance companies accept Chiropractors' certificates and claims. Professional athletic organizations and many industrial concerns have included Chiropractics in their fitness programs. A number of industrialists have Chiropractors on their staffs. The big labor unions such as the Brotherhood of Railroad Trainmen, Locals of the United Auto Workers and the building trades and all veterans' organizations have passed resolutions endorsing this form of treatment because they state the belief that the sprains and accidents suffered by their members are relieved by Chiropractic treatment.

I could go on indefinitely briefing you on the background of a Chiropractor, but I do not think that it is necessary, as I am sure that you are aware that this has come out of Committee with an "Ought to pass" Report. And I can assure you that the members of the Labor Committee went over this thing very thoroughly before sending this out of Committee, and I hope that when you cast your vote you will vote against the indefinite postponement of this bill and help to send out the "Ought to pass" Report, always remembering that health service is the basic life of all the people. Thank you. And I hope that the members of this House will vote against the indefinite postponement of this piece of legislation.

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

**MR. HENDBEE:** Mr. Speaker and Ladies and Gentlemen of the House: I believe possibly I am qualified to speak on this bill, having been a member of industry for a long time and an official of a labor union.

Not too many years ago we fought for the right of the recognition of Osteopathy, and we received it. Now, we find that in the particular industry that I work in, paper mills, the greater part of our injuries are strains and sprains. Under this bill



all we are asking is that the worker have the right to go for Chiropractic treatment if he so desires.

Now, you may be interested to know that in the mill that I work in, we operate under that plan at the present time, and the bills are paid by the insurance company which represents our industry in the Workmen's Compensation. The only stipulation that we hold forth in that is that in our town we do not have a Chiropractor and the man must go to a neighboring town nine miles away and pay his own expenses back and forth, that is all we ask. We have other physicians in our town and if he does not care to go to them we allow him the right to go to another. Because I believe that the man who is injured has the right to make up his mind who the man is that can do him the most good, and we ask for that right that he may go to him. I oppose the indefinite postponement of this bill.

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

Mr. WINCHENPAW: Mr. Speaker, I would just like to say a word about that word "aforesaid." I think it was the intention of the Committee to leave that word in there. I am not sure, I haven't my notes and I haven't had time to dig into them, but I think when we worked this over in the Committee we felt that the word "aforesaid" should have been left in. But if this bill is allowed to pass today, I believe it will come up for a third reading tomorrow and an amendment could be offered to that purpose.

The SPEAKER: The Chair would advise the gentleman that Bill, "An Act relating to Chiropractic Treatment Under Workmen's Compensation Law" has already had its third reading and will next appear as an enactor.

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

Mr. TURNER: Mr. Speaker and Members of the House: You know, I am always kind of wanting to take hold and help the underdog, and in this case I think the Chiropractor Doctors are the underdogs in the healing profession.

I am no authority on this constitutional law, but it appears to me that there is among the issue permanent to discussing this bill today a very basic issue that is the question of citizens rights. In a democracy, by the very nature of our government, a citizen is allowed certain basic rights and freedoms. Examples of these are freedom of speech, freedom of the press and the very cherished right, freedom of religious worship. I also believe that the right of control over my own body and its care is somehow closely allied to these other freedoms guaranteed by the Constitution.

I believe that subject to reasonable police power by the State, I should have the right to choose my own doctor and method of healing. This freedom of choice of physician and healing should be the right of all citizens.

The State of Maine, by licensing Doctors of Chiropractics, Doctors of Osteopath and Doctors of Medicine and members of other healing professions, has given the citizens of Maine the privilege of choosing their own doctor and healing method. It is obvious that the intent of this licensing law is to guarantee equal rights and privileges to members of all healing professions. And yet there appears to be an inconsistency. If a member of industrial labor desires the service of a Chiropractor for injuries incurred in an industrial accident, he cannot seek this service and be justly reimbursed under the present Workmen's Compensation Act in the State of Maine.

In forty states and the District of Columbia, out of the fifty United States, this injured man of labor can feel free to choose Chiropractic services and be reimbursed for professional services and the time lost on his job. Over 500 of the leading insurance companies of America recognize the claim of Chiropractics. The U.S. Bureau of Veterans Administration authorized and financed Chiropractic education for veterans of two world wars. Recognition of Chiropractic sick leave certificates is given by the United States Civil Service Commission. Why should employees of industry in the State of Maine be deprived

of the freedom of choice of doctors and profession under the Workmen's Compensation Act in the State of Maine? I sure hope that this motion to indefinitely postpone does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker and Members of the House: There is no desire here on the part of anyone to deprive any person from going to anyone that they wish to for medical treatment. If they wish to they can go to a witch doctor. But the point that is being brought out here today, this is under a state law, this is under Workmen's Compensation, which provides for treatment of the workman injured in the course of his employment.

Incidentally, there is apparently some discrepancy because the notes that I have, which are supposed to be authoritative, state that in only five states are persons permitted to be treated by Chiropractors under the Workman's Compensation Act. In other words, there are not five states that don't allow it, there are only five states that do allow it. And in some states, regardless of anything, treatment by Chiropractors is strictly prohibited. Take note, for instance, two states, which are Massachusetts and New York. Now, I have no argument whatsoever with the treatment by Chiropractors. I feel, as does the gentleman from Auburn, Mr. Turner, that a person has the right to go to anyone who he or she sees fit for the healing art. But I do feel strongly that if they wish to go to someone other than those members of the healing art which are recognized under the law, then they should foot the bill themselves and not expect the Workmen's Compensation to pay for it. I think that the Medical Profession and the Osteopaths are duly recognized. They are permitted to perform surgery and administer drugs, and you will note that Chiropractors are not, under the law, and I definitely hope that this bill is indefinitely postponed.

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

Mr. WHITMAN: Mr. Speaker and Members of the House: Personally, I do feel obliged to support the motion to indefinitely postpone for the express purpose of killing the bill because that one word has been struck out, "aforesaid." That word is very important, and I feel that by passing this bill we will confuse the entire statute to the point where perhaps we would open the door and let the bars down as to the type of injury that would be covered by Workmen's Com. I feel that perhaps if we do eliminate that word, rulings from the courts would feel that the intent of this Legislature was to broaden the coverage of injuries.

The SPEAKER: The Chair recognizes the gentleman from Union, Mr. Heald.

Mr. HEALD: Mr. Speaker, I feel that we Legislators have a clear responsibility to the injured man or woman in Maine industry and see that they get the best medical and surgical care. Therefore, I want to offer House Amendment 292, which allows this medical care and allows the Chiropractic treatment under the direction of a licensed physician or osteopath.

The SPEAKER: Would the gentleman defer just a moment, please? The House may be at ease.

#### House at Ease

Called to order by the Speaker.

The SPEAKER: The question now before the House is the motion of the gentleman from Union, Mr. Heald, as to the adoption of House Amendment "A" which that gentleman offers at this time. The Clerk will read House Amendment "A".

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

HOUSE AMENDMENT "A" to H. P. 940, L. D. 1327, Bill, "An Act Relating to Chiropractic Treatment Under Workmen's Compensation Law."

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

"R. S., c. 31, Sec. 9, amended. The first sentence of section 9 of chapter 31 of the Revised Statutes is amended to read as follows:

'During the first 30 days after an injury aforesaid the employee shall be entitled, when they are needed, to reasonable and proper medical, surgical and hospital services, nursing, medicines, and mechanical surgical aids when they are needed, and chiropractic treatment within the scope of the chiropractic practice rights under the direction of a licensed physician or osteopath.'

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

Mr. TURNER: Mr. Speaker, this looks to me like a dictatorship amendment by the Medical Profession and their high priced lobbyists here and I move the indefinite postponement of this amendment.

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

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

Mr. MILLER: Mr. Speaker, I would like to concur wholeheartedly with the gentleman from Auburn, Mr. Turner. This is nothing but an attempt to kill the whole bill. The actual wording of this amendment, you might just as well vote the bill down too because if you pass this amendment the bill would be worthless.

We have had plenty of opportunity to study this bill in the Labor Committee this year and, believe me, we went over many of the points involved in this. I don't believe that anybody in this House is any more of an authority on the Chiropractic setup than the members of the Labor Committee. We became authorities because of the many problems and the pros and cons concerning this type of treatment. And on our Committee, the Honorable Senator Bates, a doctor, a well known doctor in Penobscot County, was the Chairman of this Committee, and certainly if this was a bad bill, I am sure that he would not have come out and signed the "Ought to pass" Report with the rest of the Committee. Gentlemen, I hope that you will indefinitely postpone this amendment that has been offered.

The SPEAKER: Is the House ready for the question? The ques-

tion before the House is the motion of the gentleman from Auburn, Mr. Turner, that House Amendment "A" be indefinitely postponed on Bill, "An Act relating to Chiropractic Treatment Under Workmen's Compensation Law," House Paper 940, Legislative Document 1327.

Will those who favor the motion to indefinitely postpone House Amendment "A" please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

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

Mr. MILLER: Mr. Speaker, I rise just to clarify a point that my colleague, the gentleman from Kittery, Mr. Dennett, brought out. I think it would tend to make it a little confusing. I might say that the five states that he mentioned are states that do not recognize it. The others do recognize it.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Gallant.

Mr. GALLANT: Mr. Speaker, I request a division.

The SPEAKER: A division has been requested. Is the House ready for the main question? The question before the House is the motion of the gentleman from Kittery, Mr. Dennett, that Bill, "An Act relating to Chiropractic Treatment Under Workmen's Compensation Law," House Paper 940, Legislative Document 1327, be indefinitely postponed.

Will those who favor the indefinite postponement of this Bill please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty having voted in the affirmative and seventy-two having voted in the negative, the motion did not prevail.

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

The SPEAKER: The Chair now lays before the House the fifth tabled and today assigned matter, An Act Creating Game Management Area of Towns of Deer Isle and Stonington, Hancock County, House Paper 608, Legislative Docu-

ment 868, tabled on May 1 by the gentleman from Stonington, Mr. Shepard, pending passage to be enacted; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Bill was retabled until later in today's session, pending passage to be enacted.

The SPEAKER: The Chair now lays before the House the sixth tabled and today assigned matter, House Report, Referred to the 100th Legislature, of the Committee on Appropriations and Financial Affairs on Bill "An Act Providing Funds for Veterans for Farm and Home Purchases and Remodeling," House Paper 783, Legislative Document 1115, tabled on May 4 by the gentleman from Lewiston, Mr. Jacques, pending acceptance of the Report.

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

Thereupon, on motion of that gentleman, the Report was accepted and Bill referred to the 100th Legislature and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the seventh tabled and today assigned matter, House Divided Report, Majority "Ought to pass" and Minority "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Resolve Appropriating Moneys to Aid Construction of a Dormitory at Higgins Classical Institute, House Paper 853, Legislative Document 1221, tabled on May 4 by the gentleman from Old Orchard Beach, Mr. Plante, pending the motion of the gentleman from Ellsworth, Mr. Brown, to accept the Majority "Ought to pass" Report.

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

Mr. BROWN: Mr. Speaker, due to a printing error in this bill and for the purpose of offering an amendment, I would like to table this bill specially assigned for Thursday.

The SPEAKER: The Chair would remind the gentleman that if he would permit the acceptance of the "Ought to pass" Report and let the bill have its two readings, by Thursday the bill would be that

much further ahead and an amendment would still be in order. Does the gentleman withdraw his motion to table? The gentleman withdraws his tabling motion.

The Chair now understands that the gentleman from Ellsworth, Mr. Brown, moves that the House accept the Majority "Ought to pass" Report.

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

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House: Two years ago the State granted to this institution \$25,000. We were led to believe at that time that the county within which Higgins Classical Institute is located would come up with an equal amount. Because of the county's intent, or supposed intent, to match the State on an equal basis, several members of this House supported the bill to grant a private institution, a high school, some money for construction. However, the statement of facts in the bill does not report that the county reneged. So, now this bill has been introduced so that the State will take care of the share that the county was supposed to take care of. I do not think that this is fair.

I feel that many of us in this House are aware of our communities' difficulties in building high schools and extensions, of the consolidation programs in many communities and we ourselves have had to come up with our local tax dollars and construct these high schools and the additions to our present high schools.

I do not believe it is fair to take an isolated case and to expect the State to give funds in this nature, and this is why I must in all fairness move the indefinite postponement of both reports.

The SPEAKER: The question now before the House is the motion of the gentleman from Old Orchard Beach, Mr. Plante, that both reports be indefinitely postponed.

The Chair recognizes the gentleman from Patten, Mrs. Harrington.

Mrs. HARRINGTON: Mr. Speaker and Members of the House: Again we face an educational problem,

and this case is unique geographical-ly and in the service that it renders.

Higgins Classical Institute serves a lot of communities that do not have a high school. It also has kept its tuition and board down so that the average family can afford to send their children there. Now, the tuition is \$400 and the board is \$595 and I don't believe any of us can board that cheap.

Now, the reason they are asking for this \$25,000, in the bill it states \$40,000, but that is an error, you will recall that they had a fire and the insurance isn't enough to build this dormitory. This is to finish one floor that is not finished now. Now, they could meet this by raising their tuition and their board and room but they would also lose a lot of pupils. We know that we are short of high schools, we are short of teachers, and this is one reason why I feel that we should support this bill. Higgins Classical Institute is also a five-year course. It is a college preparatory school and many pupils go there to prepare themselves for college.

They do not intend for this to be a yearly occurrence. This is just to help them out of this emergency on account of the fire, and I hope you will give them consideration when you vote.

The S P E A K E R: The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I think we are all confused and pained when we hear someone get up and say that education, simply because it is in a private school that the State cannot give any help to them.

I could take the same stand. In my own town \$735 of my tax money last year went to schools and I had no one in school. So, I could say, well, why should I have to pay it? Well, that is the American way of life.

Now, Higgins Classical Institute suffered a great loss by fire, and we did appropriate in the last session some money to finish one floor and to start the building. Now, they want to finish the rest of it. It looks to me that it is only fair, wherever the money comes from, whether it is from the State, or

where it comes from, to put this school into shape whereby these pupils up there could receive an education. Simply, they do not have a high school up there and this is taking the place of a high school and, inasmuch as the State is contributing to high schools I can see no reasonable excuse whatsoever why we should not want them to contribute to this school to furnish these boys and girls an education just as well as they would in my town where we do have a high school.

The S P E A K E R: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I feel at this time that I should explain my position that I took on the Committee after listening to the evidence in this Higgins matter.

It is true that two years ago the Legislature appropriated \$25,000 to aid Higgins. This is not anything unusual, it has been done many times in the past. You are all well aware that Higgins is a private school. It appeared to me that they are doing a wonderful job in the area. They are providing high school facilities for a number of small towns as it has already been stated here. From the loss that they suffered it appeared that they were actually in need of help.

I might say to you that it seems to me that the kind of service that they are giving that the State is getting a real good deal out of it, if we could look at it that way. Probably if this institution wasn't in operation the State would be providing somewhere in the neighborhood of fifty per cent of the cost of maintaining an institution. In this way, these two amounts that are here mentioned is probably all that they have done over many, many years and I don't think anyone can question the type of service that the institution is doing. It seemed that way to me as I listened to their story.

Some might raise the point that they should charge higher rates of tuition. That could very well be, but I think possibly it already has been raised here with regard to the University of Maine. We are pro-

viding millions for the University of Maine, not that I am putting them in the same class in any way, but they are both providing educational services. If the University of Maine raised their tuition rate it would not be necessary to provide the same amount of money that we are doing for them. That is the point that I am trying to bring across.

After listening to all the evidence in this case I was fully convinced that it was the right thing to continue to give this added lift to this institution.

The SPEAKER: The Chair recognizes the gentleman from Bradford, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Ladies and Gentlemen of the House: I rise in support of L. D. 1221 because I believe it to be a worthy cause and a bill with a lot of merit. Were it not for the fact of a disastrous fire in April 1956, Higgins would not now be asking for your support.

As you members who were here two years ago already know, the boys' dormitory was destroyed at that time. There was an insurance of \$50,000 which was inadequate to reconstruct, making it necessary for the trustees to ask for subscriptions. They also received at that time \$25,000 from the State of Maine which was believed to be enough to finish construction. But due to the rising costs of material and so forth, it did not finish the building. At the present time the third floor has not been completed. When it has been completed, I believe that it will make room for an additional seventeen students, or about that number.

Throughout the years Higgins has not been run as a profit making institution. If so, it would not be asking for help. Higgins has been asking for board, room and tuition only about enough for current expenses, leaving very little for a rainy day. It has been maintained as a school where the poor student receives more consideration than in other schools.

During the years many a boy and girl, who otherwise could not receive a secondary school education, have been welcome at Higgins. They

have been permitted to work in the kitchen as part payment toward their expenses, and perhaps to work on the campus.

At the present time Bradford has no high school and we are transporting our students to Higgins on a tuition basis. This, we believe, gives our students a better education than they would get if we had a high school of our own and, also, it is much cheaper than if we had our own school.

The people of Charleston, the town itself, send their children to Higgins on a tuition basis, it is also much cheaper for them than it would be to have a school of their own.

I would like to state to you that this came out of Committee by a vote of 8 to 2 "Ought to pass." I believe when a bill comes out of that Committee with an 8 to 2 "Ought to pass" vote that it must have a whole lot of merit. I, therefore, hope that the motion of the gentleman from Old Orchard Beach, Mr. Plante, does not prevail.

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

Mr. STANLEY: Mr. Speaker and Members of the House: Being a signer of the "Ought not to pass" Report, I should give some indication as to why I signed it.

Two years ago in this House I opposed the same bill and it was passed by the House. I have no question but what the school, Higgins Classical Institute, does a wonderful job of teaching our young members of our communities. I have no question but what it is run efficiently and in a right manner. I question the soundness of our appropriating public funds for private institutions on its principle alone. The fact that I am a trustee of another private institution does not sway my thinking.

Certainly everything has been said that needs to be said on the bill. Everything that has been said I would have no objection to. Certainly they do do a good job of teaching the students and it provides a school for a large area. It being right next door to me, it being a customer of mine, makes it a bit difficult for me to stand here

and oppose the amount of money being presented to it, but on principle I do have to oppose it.

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

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House: It has been said on this floor on several occasions that what is fair for one is fair for all. Let us put this theory in test.

I refer to L. D. 1145 and I should like to read the statement of fact. "On January 16, 1958, Danforth, Maine lost its school building, which housed grades 1 through 12, all school supplies and equipment by fire. Since that time the school department has operated its school program using all available space for classrooms. To reopen, schools are scattered throughout the community within a radius of six miles, this making a total distance of approximately eleven miles between the two most remotely situated schools. As can be seen, this creates a much greater and more expensive transportation problem, and eleven fires now must be maintained, where originally it was only necessary for two. All supplies and equipment were destroyed." I could continue.

I wish to point out that this bill, asking for a mere sum of \$5,000, which originally was presented to the Committee on Claims, referred to the Committee on Appropriations and was reported out by the Committee on Appropriations unanimously "Ought not to pass." Now, how we can apply this principle in one case and not in another case is beyond me.

There is also a question of what if the communities within the Higgins Classical Institute area would consolidate. If the dissolution of the school should come about, who would be the receivers of ownership after the State has invested, now this would amount to \$50,000 in the school? I question whether the State's money is protected.

It is also fairly well believed that Higgins Classical Institute will, within the near future, become purely a preparatory school. Therefore, if it no longer becomes a high school and the communities in the area consolidate under the Jacobs Bill,

will they then have to share the burden of a consolidated high school, and we will have, in fact, given purely to a private institution \$50,000 of State money?

Again, the question hasn't been answered, why did the county renege in their position? Why didn't they share the \$25,000, which was the promise that they made to the 98th session of the Legislature? I certainly hope that, in all fairness, this bill be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Lee, Mr. Frazier.

Mr. FRAZIER: Mr. Speaker and Members of the House: In answer to the gentleman from Old Orchard Beach, Mr. Plante, he has made reference to the fact that Penobscot County reneged on their promise. According to the legislative record of May 29, 1957, Volume 2, Page 2,465, the resolve which would have created the possibility of Penobscot County sharing in the cost of the reconstruction, was killed in the Senate of that Legislature, was brought back to this body and this body attempted to get a committee of conference and failed. So, I think in defense of Penobscot County, they did not renege. They had been asked not for \$25,000, but for \$20,000, and they were not granted that permission by the 97th Legislature.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: In reply to the gentleman from Old Orchard Beach, Mr. Plante, with regard to the Danforth situation, I feel that I have to make some sort of defense here. We have brought two matters in here.

Obviously, the Committee did report out the Danforth Bill "Ought not to pass." It seems to me that we felt there were two separate problems involved. It is the public schools of Danforth. They are in the process, I believe, of attempting to form a school administrative district. We recognize that they have terrible problems at the present time, there is no question of that. But it seemed to us very possible that that thing could be handled right within the Education Department. That was my reason

for making the decision on the Danforth matter that I did.

The SPEAKER: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker and Members of the House: I rise in support of the aid to Higgins Classical Institute in Charleston. I can't say much more than has already been said except perhaps a few points.

One of them being this: That this is a non - sectarian school. It affords schooling for many of the towns in our State who do not offer the type of education that is required by the State of Maine Educational Department.

Now, we have many high schools operating throughout Maine who only offer perhaps one vocational subject. As many of you know, the requisite is that they should have two vocational subjects. Higgins offers this to many of the boys and girls that go there.

It is true that this may be sometime a truly preparatory school, and we do know now that there are many taking P.G. courses there out of Bangor High School, out of Brewer High School and some of our better high schools that they may enter the University of Maine and be better prepared for the courses there.

Now, the fees for attending Charleston, Higgins Classical Institute, are at the low minimum. Really it is a charitable school, and when we look over Legislative Document 1313, I find hundreds of thousands of dollars that are appropriated to various benevolent institutions in the State of Maine. Perhaps they are not wholly educational but education is one of the vital factors in our life in Maine or in this nation.

I feel surely that the bill amended to \$25,000 to assist Higgins Classical Institute would be to the welfare of the whole State of Maine. Many of the island communities must send their children to some classical institute in the State of Maine. There is nothing fancy at Higgins, they live a spartan life over there. I know something about it, I have a boy going there. So, you might feel that this is the reason I rise in support of this in-

stitution. However, I am acquainted with this institution. I feel that it is rendering a real service to the people of the State of Maine. I do hope that we can see fit to assist this noble institution.

The SPEAKER: Is the House ready for the question?

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

Mr. BROWN: Mr. Speaker, when the vote is taken, I request a division.

The SPEAKER: A division has been requested.

The Chair recognizes the gentleman from Bradford, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Members of the House: It was stated that we soon might have a school district formed up in that area. We do have a bill in for that district. And those of you who attended the Committee meeting or the hearing before the Committee should remember that the superintendent of schools stated to that Committee that if a building was constructed it would have to be in the town of Corinth.

I may not be a good diplomat but I understand my own district up there and, if you ever can get the towns of Charleston and Corinth to agree on building a new high school in the town of Corinth you will be a better diplomat than I.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Old Orchard Beach, Mr. Plante, that with respect to Resolve Appropriating Monies to Aid Construction of a Dormitory at Higgins Classical Institute, House Paper 853, Legislative Document 1221, both reports be indefinitely postponed.

Will those who favor the indefinite postponement of both reports please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-two having voted in the affirmative and eighty having voted in the negative, the motion did not prevail.

Thereupon, the Majority "Ought to pass" Report was accepted, the Resolve given its first reading and



assigned for second reading on Thursday, May 7.

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

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

The SPEAKER pro tem: The Chair now lays before the House the eighth tabled and today assigned matter, An Act relating to Use of Draggers in Part of Penobscot Bay, House Paper 916, Legislative Document 1294, tabled on May 4 by the gentleman from Stonington, Mr. Shepard, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. SHEPARD: Mr. Speaker and Members of the House: You will recall that we tabled this yesterday due to the absence of the sponsor, the gentleman from Vinalhaven, Mr. Maddox. The same situation still exists today and I feel that we should go along and show the gentleman the same courtesy of not attacking his bill in his absence, and I would move that this lay on the table to be removed on the return of the sponsor, the gentleman from Vinalhaven, Mr. Maddox, at this time.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Yarmouth, Mrs. Knapp.

Mrs. KNAPP: Mr. Speaker, I ask for a division.

The SPEAKER pro tem: A division has been requested. The question before the House is the motion of the gentleman from Stonington, Mr. Shepard, that this Bill be tabled unassigned pending passage to be enacted. Will all those who favor the motion to table this matter unassigned will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-one having voted in the affirmative and thirty-three having voted in the negative, the motion prevailed and the Bill was so tabled.

The SPEAKER pro tem: The Chair now lays before the House the ninth tabled and today assigned matter, Resolve Authorizing Survey and Plans for a Maine-Quebec Highway, House Paper 945, Legislative Document 1340, tabled on May 4 by the gentleman from Perham, Mr. Bragdon, pending final passage; and the Chair recognizes that gentleman.

Mr. BRAGDON: Mr. Speaker and Members of the House: Yesterday I tabled this to look into it and I would say frankly that I was disturbed by something that appeared in the papers to the effect that county funds were mentioned in connection with these state funds for this survey. That was the reason that I tabled it. I made some inquiries last night and I felt fairly well assured that no county funds could be used unless this bill was amended, which obviously couldn't get by here without coming back to us.

However, this morning the thought occurred to me that perhaps I had not looked in the right place to find where county funds might be used, and since I have not had opportunity to look as far as I would like to, I would certainly appreciate it if you would grant me the courtesy to table this and I will assure the House that I will get it off just as soon as I get the information I am looking for.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Perham, Mr. Bragdon, that Resolve Authorizing Survey and Plans for a Maine-Quebec Highway, House Paper 945, Legislative Document 1340, be tabled unassigned. Is this the pleasure of the House?

(Cries of "No")

A viva voce vote being doubted, a division of the House was had.

Forty-six having voted in the affirmative and sixty having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Bragdon of Perham, the Resolve was tabled pending final passage and specially assigned for tomorrow.

The SPEAKER pro tem: The Chair now lays before the House

the third tabled and today assigned matter, previously tabled by the gentleman from Brunswick, Mr. Lowry, until later in today's session, Bill, "An Act Exempting Hospital Thrift Shops from Sales Tax," House Paper 700, Legislative Document 1000, tabled on April 29 by the gentlewoman from Rumford, Miss Cormier, pending further consideration.

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

Mr. LACHARITE: Mr. Speaker and Members of the House: When this bill came before us earlier in the session it was discussed quite at length and it was passed to be engrossed in this House without objection. There is no reason in my mind why we should change our thinking on this bill at this time and, so, Mr. Speaker, I move that we adhere to our former action.

The SPEAKER pro tem: Would the gentleman please approach the rostrum.

(Conference at rostrum)

The SPEAKER pro tem: The Chair recognizes the gentleman from Brunswick, Mr. Lacharite.

Mr. LACHARITE: Mr. Speaker, I withdraw my motion to adhere, and I would move that we insist and ask for a committee of conference.

The SPEAKER pro tem: The question before the House is now the motion of the gentleman from Brunswick, Mr. Lacharite, that we insist on our former action and a committee of conference be appointed. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER pro tem: The Chair will appoint the following members to the Committee of Conference: The gentleman from Brunswick, Mr. Lacharite; the gentleman from Kittery, Mr. Dennett; and the gentleman from Bath, Mr. Mayo.

The SPEAKER pro tem: The Chair now lays before the House the fifth tabled and today assigned matter, previously tabled by the gentleman from Stonington, Mr. Shepard, until later in today's session, An Act Creating Game Management Area of Towns of Deer Isle and

Stonington, Hancock County, House Paper 608, Legislative Document 868, tabled on May 1 by the same gentleman pending passage to be enacted; and the Chair recognizes that gentleman.

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

The SPEAKER pro tem: The Chair recognizes the same gentleman.

Mr. SHEPARD: Mr. Speaker and Members of the House: I now offer House Amendment "A" and move its adoption. I might explain that it is corrective legislation inasmuch as the game management area is handled under one section and this is a revision of Section 91 pertaining to the general law. The Attorney General advised that we handle it in this manner.

The SPEAKER pro tem: The Clerk will read House Amendment "A".

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

HOUSE AMENDMENT "A" to H. P. 608, L. D. 868, Bill, "An Act Creating Game Management Area of Towns of Deer Isle and Stonington, Hancock County."

Amend said Bill by inserting at the beginning of the first line the abbreviation and figure 'Sec. 1.'

Further amend said Bill by adding at the end the following:

"Sec. 2 R.A., c. 37, Sec. 91, amended. The 3rd paragraph of section 91 of chapter 37 of the revised Statutes, as revised, is amended to read as follows:

"There shall be a continual closed season on deer on the Island of Mount Desert and in the Town of Deer Isle, and in the Town of Stonington and all of Swan Island in the Town of Swan's Island, which last mentioned towns are town is in the County of Hancock, and on Cross Island and Scotch Island, which last mentioned places are in Washington County, and in the Town of Isle au Haut, and the Islands within the confines of the Town of Isle au Haut, which last mentioned town is in the County of Knox, and in game sanctuaries which have been established by law where the closed season shall be perpetual."

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

The SPEAKER pro tem: Pursuant to the table clearing authority granted by the Order of the House, the Speaker now lays before the House the first tabled and unassigned matter, House Report, "Ought not to pass" of the Committee on Taxation on Bill "An Act relating to Excise Taxes on Boats," House Paper 410, Legislative Document 594, tabled on March 20 by the gentleman from Orono, Mr. Treworgy, pending acceptance; and the Chair recognizes that gentleman.

Mr. TREWORGY: Mr. Speaker and Members of the House: This bill has been on the table all these weeks pending the outcome of the boat registration bill which is sponsored by Senator Carpenter. This bill is currently in the Judiciary Committee. They have not reported it out yet. Therefore, I would move that this bill be retabled until Tuesday, May 12.

The SPEAKER pro tem: The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, I would request a division.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Orono, Mr. Treworgy, that the bill be retabled, specially assigned for Tuesday next. A division has been requested.

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

A division of the House was had.

Fifty-six having voted in the affirmative and fifty-three having voted in the negative, the motion prevailed and the Bill was so tabled.

The SPEAKER pro tem: The Chair now lays before the House the second tabled and unassigned matter, Senate Report "Ought to pass" in New Draft, Senate Paper 439, Legislative Document 1286, of the Committee on State Government on Bill "An Act Revising the Laws Relating to the Bureau of Public Improvements," Senate Paper 60, Legislative Document 93,

tabled on April 2 by the gentleman from Bangor, Mr. Stanley, pending acceptance in concurrence, and the Chair recognizes that gentleman.

Mr. STANLEY: Mr. Speaker, I have an amendment, House Amendment "A", Filing No. 301, which I would move that the House adopt.

The SPEAKER pro tem: The Chair would advise the gentleman from Bangor that the bill is not before the House except as to accept one of the reports or not. Would the gentleman care to make that motion?

Mr. STANLEY: I am sorry. What has happened to the bill so far, may I ask?

The SPEAKER pro tem: No action has been taken on this bill except the motion to table on the Report when it was received from the Senate, and the Report from the Senate is "Ought to pass" in New Draft.

Mr. STANLEY: Mr. Speaker, I move that we concur with the Senate.

The SPEAKER pro tem: Is it the pleasure of the House that we accept in concurrence the "Ought to pass" Report?

The motion prevailed and the Bill was given its first and second readings.

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

Mr. STANLEY: Mr. Speaker, I now present House Amendment "A" and move its adoption.

The SPEAKER pro tem: The Clerk will read House Amendment "A".

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

HOUSE AMENDMENT "A" to S. P. 439, L. D. 1286, Bill, "An Act Revising the Laws Relating to the Bureau of Public Improvements."

Amend said Bill by striking out all of that part designated subsection XV of section 4 and inserting in place thereof the following underlined subsection:

"XV. To have general supervision of the State House and the public grounds, buildings and property connected with the State House and to make repairs and alterations in and about such grounds and buildings;"

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

Miss CORMIER: Mr. Speaker, I would like to ask a question through the Chair to the gentleman from Bangor, Mr. Stanley. I am a little bit confused and I would like to know exactly what this Subsection 15 is that is being struck out in its entirety.

The SPEAKER pro tem: The gentleman from Bangor has heard the question. He may answer if he so chooses.

Mr. STANLEY: Mr. Speaker, Subsection 15 of Section 4 reads: "To have general supervision of the State House and the public grounds, buildings and property connected with the State House and alterations and improvements thereto and make repairs in or about such grounds and buildings."

As it is now written in 1286, the Bureau of Public Improvements would not have authority to make any alterations in the State House, nor would they be able to move partitions. In the amendment you will note that it says, "...to make repairs and alterations in and about such grounds and buildings." I have cleared this with the sponsor of the bill and with the Architects Association, they were in favor of it, that the Bureau of Public Improvements could make changes, alterations and repairs in the buildings.

The SPEAKER pro tem: Does the gentlewoman consider her question answered?

Is it now the pleasure of the House that this House Amendment "A" be adopted in non-concurrence?

The motion prevailed and the Bill was assigned for third reading tomorrow.

The SPEAKER pro tem: The Chair now lays before the House the third tabled and unassigned matter, Bill "An Act to Authorize the County Commissioners of Cumberland County to Issue Bonds for Construction of a County Jail," Senate Paper 264, Legislative Document 677, tabled on April 7 by the gentleman from South Portland, Mr. Earles, pending adoption of House Amendment "A".

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

Mr. EMMONS: Mr. Speaker, I have received a telephone message from the gentleman from South Portland, Mr. Earles. He is at present sick with the flu and would like to have this tabled. He will probably be back by Thursday and I move that this be tabled until Thursday of this week.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Kennebunk, Mr. Emmons, that this Bill be tabled and specially assigned for Thursday, May 7. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

At this point, Speaker Edgar returned to the rostrum.

SPEAKER EDGAR: At this time the Chair would thank the gentleman from Houlton, Mr. Ervin, for his excellent services as Speaker pro tem.

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

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of a group of seventh and eighth grade students from the Community School of Poland, Maine, accompanied by Vincent McGee, their Principal; Mrs. Alice Mitchell; Mr. and Mrs. Bernard Goddard; Mrs. Francis Whittier; and Mrs. Jesse Thurber. On behalf of the House, the Chair extends to all of you ladies and gentlemen a most hearty and cordial welcome and we hope you will enjoy and profit by your visit here today. (Applause)

The SPEAKER: The Chair now lays before the House the fourth tabled and unassigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Natural Resources on Bill, "An Act Classifying Certain Waters in Meduxnekeag River Basin," House Paper 403, Legislative Document

587, tabled on April 8 by the gentleman from Houlton, Mr. Ervin, pending the motion of the gentleman from Bethel, Mr. Saunders, to accept the Majority Report.

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

Mr. ERVIN: Mr. Speaker and Members of the House: I probably gave up the best chance of ever gaveling a bill in my life, one of my own, a few minutes ago. However, reluctantly, but in the interest of trying to get out of here sometime before the 4th of July, I am not going to retable this bill. I shall now move to accept the Majority Report on the motion made by the gentleman from Bethel, Mr. Saunders.

The SPEAKER: The question before the House is on the acceptance of the Majority "Ought not to pass" Report. Is this the pleasure of the House?

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

The SPEAKER: The Chair now lays before the House the fifth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act relating to Impoundment of Certain Motor Vehicles Involved in Accidents," House Paper 352, Legislative Document 511, tabled on April 9 by the gentleman from Kittery, Mr. Dennett, pending acceptance of the Report; and the Chair recognizes that gentleman.

Mr. DENNETT: Mr. Speaker and Members of the House: I find myself somewhat in the same position as the gentleman from Houlton, Mr. Ervin. We have here before us actually the tail of the dog. This is actually and for all purposes part of another bill or even a group of bills which have not as yet appeared before this body. It is quite impossible to argue the merits of the bill until we have the body, and, as I stated before, the body is not here. Consequently, and under the circumstances, and not to prolong this session, I very reluctantly move the acceptance of the "Ought not to pass" Report of the Committee.

The SPEAKER: The question before the House is the acceptance of

the "Ought not to pass" Report. Is this the pleasure of the House?

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

The SPEAKER: The Chair now lays before the House the sixth tabled and unassigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Natural Resources on Bill "An Act relating to the Classification of Prestile Stream in Aroostook County," House Paper 661, Legislative Document 954, tabled on April 9 by the gentleman from Woodstock, Mr. Whitman, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. WHITMAN: Mr. Speaker and Members of the House: I tabled this item in order that we might debate this problem with Item 4, which has just been disposed of. I had promised the sponsor of this measure that I would give him ample notice in order that he might be prepared to debate this bill, and for that reason at this time I would like to table this specially assigned for tomorrow in order that the sponsor might be prepared to debate the bill.

The SPEAKER: The question before the House is the motion of the gentleman from Woodstock, Mr. Whitman, that both reports be tabled and specially assigned for tomorrow, pending acceptance of either report.

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

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

The SPEAKER: The Chair awaits a motion.

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

Mr. SAUNDERS: Mr. Speaker, I move we accept the Majority "Ought not to pass" Report.

The SPEAKER: The gentleman from Bethel, Mr. Saunders, now moves that the House accept the Majority "Ought not to pass" Report.

The Chair recognizes the gentleman from Monticello, Mr. Jewell.

Mr. JEWELL: Mr. Speaker, I would like to retable this bill unassigned. This bill is in the Supreme Court awaiting a decision and anything that we might do, any vote that we might take on this at the present time could be nul and void, so I move that we table this bill unassigned until we get the decision of the Court.

The SPEAKER: The gentleman's motion is in order but the Chair must inform him that he is debating the motion, which is out of order.

The question before the House is the motion of the gentleman from Monticello, Mr. Jewell, that both reports be tabled unassigned, pending the motion of the gentleman from Bethel, Mr. Saunders, that the House accept the Majority "Ought not to pass" Report.

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 before the House is the motion of the gentleman from Bethel, Mr. Saunders, that the House accept the Majority "Ought not to pass" Report on Bill "An Act relating to the Classification of Prestile Stream in Aroostook County," House Paper 661, Legislative Document 954. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: For what purpose does the gentleman rise?

Mr. ERVIN: Apparently I didn't get under the hammer.

The SPEAKER: For what purpose does the gentleman rise?

Mr. ERVIN: I was going to debate the motion which had been made.

The SPEAKER: The Chair understands the gentleman from Houlton, Mr. Ervin, moves that the House reconsider its action whereby it accepted the Majority "Ought not to pass" Report. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The gentleman may proceed.

Mr. ERVIN: Mr. Speaker and Members of the House: We just had a rather strange incident happen here, and I think this House should know the full implications of

what this bill is and what it is going to do. Also, the House should understand that there is an order being prepared, it may have already gone in, to the Supreme Court regarding certain parts of this bill. We might get the ruling back before we adjourn and we might not. However, to tell exactly what this bill does, in the Town of Mars Hill, a small town, they are asking that the Prestile Stream be declassified, if you want to call it that, it now has the classification of "C". Under that classification the Town of Mars Hill has been ordered not to dump any more sewerage in that stream, and it has also been ordered to build a sewerage disposal plant. They are faced with a very peculiar situation in Mars Hill because the law on one hand says you shall build a sewerage disposal plant, and the law on the other hand says you shall not raise the money because you are up to your limit in bonded indebtedness.

There is now pending before the Appropriations Committee, if this bill is defeated, there is also a bill in the Appropriations Committee to ask for help, financial help, for this town. If they are going to be forced to build this sewerage disposal plant in Mars Hill, how are they going to do it? They are up to their debt limit of seven and one-half per cent at the present time. Now, it seems to me that we should give this small town of Mars Hill a little consideration, and I am going to ask the indulgence of this House once again that we table this bill specially assigned for Friday.

The SPEAKER: The question now before the House is the motion of the gentleman from Houlton, Mr. Ervin, that both reports be tabled and specially assigned for Friday next, pending the motion of the gentleman from Bethel, Mr. Saunders, to accept the Majority "Ought not to pass" Report on Bill "An Act relating to the Classification of Prestile Stream in Aroostook County," House Paper 661, Legislative Document 954. A division has been requested.

Will 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.

Ninety-nine having voted in the affirmative and twelve having voted in the negative, the motion prevailed and the Bill with accompanying papers was so tabled.

The SPEAKER: The Chair now lays before the House the seventh tabled and unassigned matter, Bill "An Act Revising Election Provisions in Charter of City of Lewiston," House Paper 844, Legislative Document 1207, tabled on April 10 by the gentleman from Lewiston, Mr. Jacques, pending passage to be engrossed.

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

Mr. DUMAIS: Mr. Speaker and Members of the House: I offer House Amendment "A" to House Amendment "A" and move its adoption.

The SPEAKER: The gentleman from Lewiston, Mr. Dumais, offers House Amendment "A" to House Amendment "A" and moves its adoption.

The Chair would advise the gentleman from Lewiston, Mr. Dumais, that to consider his House Amendment "A" to House Amendment "A", the House must under suspension of the rules reconsider its action whereby it originally adopted House Amendment "A".

Mr. DUMAIS: I move that we reconsider our action whereby we accepted House Amendment "A".

The SPEAKER: The first motion in order would be the suspension of the rules. Is it the pleasure of the House to suspend the rules?

The motion prevailed.

The SPEAKER: The Chair now understands that the gentleman from Lewiston, Mr. Dumais, moves that the House reconsider its action whereby it adopted House Amendment "A" on April 10. Is this the pleasure of the House?

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

Mr. JALBERT: Mr. Speaker, may I approach the rostrum?

The SPEAKER: The gentleman may approach the rostrum.

(Conference at rostrum)

The SPEAKER: The question now before the House is the motion of the gentleman from Lewiston, Mr. Dumais, that the House reconsider

its action whereby it adopted House Amendment "A". Is this the pleasure of the House?

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would oppose the motion to reconsider House Amendment "A" for the very simple reason that it has nothing to do with this particular amendment which I eventually intend to oppose also. The House Amendment "A" involves the members of the Board of Aldermen insofar as their salary is concerned, and it is involved in another bill and we are just getting everything under one roof, and it was cleared through the unanimous Committee on Legal Affairs. Therefore, I would oppose the reconsideration of House Amendment "A" to present this amendment. I am not shutting the door to this amendment, I am just opposing the reconsidering of the passage of House Amendment "A".

The SPEAKER: The question before the House is the motion of the gentleman from Lewiston, Mr. Dumais, that the House reconsider its action whereby it originally adopted House Amendment "A". Is the House ready for the question?

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

A viva voce vote being doubted by the Chair, a division of the House was had.

Fifty-one having voted in the affirmative and forty-nine having voted in the negative, the motion prevailed.

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

HOUSE AMENDMENT "A" to HOUSE AMENDMENT "A" to H. P. 844, L. D. 1207, Bill, "An Act Revising Election Provisions in Charter of City of Lewiston."

Amend said Amendment by striking out all of the 2nd paragraph.

Further amend said Amendment by adding at the end thereof, the following:

"Further amend said Bill by adding at the end the following Referendum Clause:

'Referendum; effective date; certificate to Secretary of State. This

act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the City of Lewiston at the regular municipal election of the city in 1960.

The city clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following question: "Shall the Act Revising Election Provisions in, Charter of City of Lewiston, passed by the 99th Legislature, be accepted?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

This act shall take effect for all purposes hereof immediately upon its acceptance by a majority vote of the legal voters voting at said election; provided that the total number of votes cast for and against the acceptance of this act at said election equals or exceeds 20 per cent of the total vote for all candidates for Governor in said city at the next preceding gubernatorial election.

The result of such election shall be declared by the municipal officers of the City of Lewiston and due certificate filed by the city clerk with the Secretary of State."

The SPEAKER: Is it now the pleasure of the House that House Amendment "A" to House Amendment "A" shall be adopted?

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

Mr. JALBERT: Mr. Speaker, I guess I was in error. What I wanted to do was make certain that House Amendment "A" originally would not be defeated. I guess I got a little confused.

Insofar as this amendment here is concerned, it would put a referendum question on this bill. It would also if you would read the very first line strike out all of the second paragraph which means that the present incumbent, the present Mayor could not succeed himself if this bill became law. I would like to state to the membership of the House that often times the comments have been made on local issues that linen should be washed at home. I stand before this body and I assure you that with company on all local issues I have

always washed my linen at home. This is the twenty-third amendment that I have presented before this body in my years of service as a member of the Legislature. I never have presented an amendment unless it has been cleared through departmental heads, executive members of the city government or charter committee, as this one has here. I never have had anything on the twenty-two measures that I have presented in my years here but a unanimous report from the committee to which it was presented, as this one here has. The bill in committee by agreement was amended.

The measure calls for a change in our fiscal year in the City of Lewiston. At the hearing the present Mayor supported this measure, the former mayor and also a former legislator favored the measure. The president of the Chamber of Commerce favored the measure. The Corporation Counsel of the City of Lewiston favored the measure. The Chairman of the Mercantile Division of the City's Chamber of Commerce of Lewiston and Auburn favored the measure. Members of this present body favored the measure as well as a member of this Lewiston delegation who is a member of the Legal Affairs Committee favored the measure. The Chairman of the Planning Board of the City of Lewiston favored the measure. Unsolicited by me, this morning I read in the Lewiston paper: "PWB Backs Change in Fiscal Year."

"The Lewiston Public Works Board went on record last night as unanimously in favor of a change in the city's fiscal year.

"A bill entered at this Legislature would change the fiscal year to run from Jan. 1 to Dec. 31. The present fiscal year starts April 1 and ends March 31.

"Public Works Department Director George J. Maher said that under the change, his department would not be in the position it is today, waiting for jobs and to purchase material. William T Harvey" who is a member of the Public Works Commission as well as the Chief Engineer for the Bates Manufacturing Company, stated that "for



the public works, it is not only sensible but long overdue.'

"Maher pointed out that the city engineer could produce much better estimates in October and November while the ground is still bare, rather than in the winter-time when he is hampered by snow 'As it is now, the city loses two months before it can get rolling' he added.

"The department is unable to program its projects properly and it's either a feast or a famine,' Maher said. All PWB members made comments in favor of the change, and voted to wholeheartedly endorse the proposed new fiscal year."

I had another bill that I presented that lies in the other branch on the table, also a charter committee proposal concerning department authority set-up in Lewiston. There was some controversy attached to it, although it is being generally accepted, so the committee judiciously placed a referendum upon it, and I went along with that proposal.

The Lewiston papers editorially have been for this change. The French newspaper in Lewiston, which is the second largest of its kind in the country, has gone along with this change. Radio commentators in both languages have gone along with this change. This bill is not a Jalbert bill, it is a bill presented - two years ago it should have been presented at the request of the charter committee. It was not, it was named by the Mayor, it was not through confusion, and through an election being held and an issue was made of it, and I wanted nothing to do with it. The tempo has changed to a point where there was no opposition at all to the bill. No mention by anybody who appeared for the bill of any referendum clause on it.

The change of paragraph 2, as I stated previously, would preclude the present incumbent from succeeding himself. The original bill had him taking two, two - year terms. The committee again judiciously amended it and placed it that he would be able to succeed himself for one term, which would give him no more if this bill passed than the other candidate would have, the other Mayor, would have

the two two-year terms. That has been generally agreed. This is a sound piece of legislation. I know no member of this body, even members of the Legal Affairs Committee outside of the House Chairman, has been annoyed by me in any way at all. I feel that somewhere along the line apologies would be in order to present legislation of a local nature and then take up the valuable time of this House to debate them, but in view of this amendment, I have no other recourse but to do it.

If the people of Lewiston generally would not be in favor of this bill, I have been deluged, and I very seldom state that I have been contacted for a bill to add steam to it, but I have been deluged by telephone calls and personal visits at home and comments from various people, and this article this morning is proof of it editorially and otherwise, favoring this bill.

Paragraph 2, part of it, is a political gimmick that I don't care to enter into at all. I would like to thank the Legal Affairs Committee who reported this bill out unanimously "Ought to pass", thank them for their patience and work wherein it concerns this bill, so that when it finally came out of committee it was a just and fair bill.

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

Mr. DUMAIS: Mr. Speaker and Members of the House: I believe that you have been given the thought that I did not want this bill adopted for the City of Lewiston. Well it is not so. I want this bill to be adopted as bad as my good friend the gentleman from Lewiston, Mr. Jalbert, but I am under the opinion that it should go to the people, and I honestly believe that they should decide on matters like this. This is not a question, ladies and gentlemen, as to whether we are going to stop paying taxes or pay more taxes or less taxes, this is just a question of letting it go to the people, and letting them decide on this matter.

I honestly believe myself that the term of office should have been changed. The only objection that I have and quite a few people have

had to this bill, is that this mayor that has served his two terms now will succeed himself. It isn't fair to the past mayors that we have had, and for that simple reason I believe in the amendment. I am of the opinion that if this should go to the people at the regular election, I don't think there is any great hurry here, and I believe that if it goes to the people at their regular election, they can choose and do whatever they wish to do.

The S P E A K E R: The Chair recognizes the gentleman from Lewiston, Mr. Jacques.

Mr. JACQUES: Mr. Speaker and Members of the House:

I urge the adoption of the amendment as a measure of fair play for the citizens of Lewiston. It has always been the aim of our Legislature to take those actions which express and encourage the highest degree of home rule.

In this case, we are passing legislation and writing into law measures that directly affect every single citizen of Lewiston.

These Charter changes are no mere patching-up or simple additions. They are changes — major changes — that will radically effect the type of home rule that Lewiston has been operating under for the past twenty years. Let us remember that these good citizens of Lewiston have not been heard by the ballot just what is their expressed wish in this matter.

I am aware of the function and responsibility of our Legislature and I know, too, that the City of Lewiston being a municipal corporation is only the creation of this Legislature. However, I am also aware that it is not good government and good legislation to impose our will upon the citizens of any city by forcing them to take major changes in their system of government — changes which perhaps some of them, and conceivably a majority, might oppose.

It is the duty of the Legislature to promote those actions that bring about even greater harmony and the confidence in a Charter that comes only when the citizens are certain that this was the expressed will of the people to be governed by it.

I know there are those of my fellow legislators who say that a referendum complicates and prolongs such matters. I say that this is a poor argument and disregard for the citizens whom we represent.

The fair, orderly way of doing this is to submit these Charter changes to the citizens of Lewiston in referendum at the next regular municipal election in February of next year. This process would be economical, it would save the city the cost of a special election, and at the same time, it would give the voting citizens a chance to express themselves — to accept or reject the changes that are contained in this legislation.

The backers of these Charter changes will have a chance to prove their statements that the citizens of Lewiston want these changes. Certainly, if they are sincere in their belief that this is the wish of our people, then they should have no objection to submitting them to the electorate. There is no emergency here. There is no crying need for major changes immediately. Lewiston has gotten along well for twenty years under the present arrangement, and there is no reason to jump headlong with a rush.

I repeat what I have said previously, such major changes as these should be submitted to the people. They should be made to stand and fall by their own merits. And the test for this is not a shove-it-down-your-throat arbitrary law from the Legislature, but the responsible, fair play of the referendum.

The S P E A K E R: The Chair recognizes the gentleman from Lewiston, Mr. Cote.

Mr. COTE: Mr. Speaker and Members of the House: As a member of the Legal Affairs Committee I had much at stake in this bill. I took it upon myself in the City of Lewiston to appear before several clubs and service clubs and speak on the legislation that was presented to change our city charter. In all my deliberations on this matter in the different clubs I have spoken to, after having explained the bill, I did not find one dissenting person. I spoke before a group two weeks ago composed of about eighty-five business men of the City of Lewis-

ton, men who run their own businesses, that are very much interested in the tax rates in the City of Lewiston, and this bill if adopted now stands to save for the City of Lewiston some \$100,000 which has been estimated, and I feel that it is a measure for the economy of the City, and every taxpayer is aware of this bill, and it has been discussed in the newspapers, it has been discussed at various clubs, and I know that every citizen in the City of Lewiston stands solidly behind this bill.

Now this bill comes up to change the election to December, it changes our fiscal year. As my good friend Representative Jalbert said a few minutes ago, various boards of the City of Lewiston have gone on record supporting this bill. I think it is going to save the taxpayers two and one-half to three mills of dollars and I feel that this bill is long overdue and it is time that we passed this bill, so I object to House Amendment "A" to House Amendment "A" and I hope it is indefinitely postponed.

The SPEAKER: Does the gentleman from Lewiston move the indefinite postponement of House Amendment "A" to House Amendment "A"?

Mr. COTE: Yes.

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

Mr. COUTURE: Mr. Speaker and Members of the House: I can assure you now that if it wouldn't be that I would be here to represent the people of what the people really want and my knowing and my experience in the City meeting people and members of the City Council, I certainly would not rise and support my good friend Mr. Jalbert at this time on opposing this amendment on previous action taken by him on my bill. Certainly I am not going to stand here because I don't like the action possibly on one of my proposed pieces of legislation here of the action of my good friend, Mr. Jalbert against it, I am certainly going to stand up here in representing the people of the City of Lewiston on really what they asked for and what they are anxious to get, and I hope that

this House will go along with the indefinite postponement of this amendment.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, I would like to ask a question through the Chair. As I understand it, it has not been the policy of the Legal Affairs Committee to send bills out unless they have a local referendum clause on them. My school bill for instance which had already been acted upon in the Town of Falmouth unanimously, was sent to referendum. We have several other bills that this same thing has happened to, and I know that two years ago that was true, I just don't understand why this one didn't have a referendum clause. I would just like to have an answer.

The SPEAKER: The gentlewoman from Falmouth, Mrs. Smith, has addressed a question through the Chair presumably to a member of the Legal Affairs Committee.

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

Mr. COTE: Mr. Speaker, in answer to the gentlewoman from Falmouth, Mrs. Smith, I would like to say this. In the first place there were no opponents at the hearing. The proponents of the bill did not ask for a referendum. This bill has been discussed at length in the City of Lewiston. No one has approached anyone on the Legal Affairs Committee that I know of or any legislator here who are in favor of this bill for a referendum. We feel that this is a measure, as I said before, I want to repeat myself, that will save approximately two and one-half to three mills of taxes to the citizens of Lewiston in the ensuing year, so it is very important to the city. Now if those people that want to hurt this bill don't care about saving tax dollars for the City of Lewiston, that is up to them, they can stand on their own two feet and defend themselves when they get back home, but I do feel that if I can in any way in representing my constituents in Lewiston save them tax dollars I am willing to do so and right away.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: I am not debating the Lewiston bill as to its merits. I am questioning why the bill had no referendum on it when it more or less has been the policy so far as I know of the Legal Affairs Committee to send these bills out with referendums and my bill, I have no objection to the referendum except that it puts the town to that expense and accepted it willingly since it was the policy of the Legal Affairs Committee, accepted the referendum, but my town had unanimously voted in public meeting for mine. I just can't understand why this bill is out without referendum. I would like to have a member other than those interested in the bill please answer me if they would.

The SPEAKER: The gentleman from Falmouth, Mrs. Smith, addresses a question through the Chair and the Chair would ask the Chairman of the Legal Affairs Committee if he cares to comment on the question.

Mr. GOOD: Mr. Speaker, in reply to the question, I never knew that it was the policy of the Legal Affairs Committee to always refer these particular questions to referendum. Our decisions have been made on the merits of each particular bill, and we felt after due consideration and study and hearing the evidence presented before the Committee that this particular bill did not require a referendum.

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

Mr. JACQUES: Mr. Speaker, I remember four years ago when we sent out for the Governor to elect a Governor for four years we sent it out to referendum. Well, the City of Lewiston has been electing their Mayor every year. Now under this bill the Mayor would be elected every two years. Another thing we do on this bill, we are changing the fiscal year, and another thing we are doing, we are raising the Mayor's salary from \$2500 to \$3500 and we are raising the Aldermen's salary from \$500 to \$700, and I think that the people should have something to say about it. If we are going to elect these people for from one to two years, let the people decide on it.

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

Mr. JALBERT: Mr. Speaker, in further answer to the referendum question, there were some seven other local Lewiston bills that are now either in the Senate or else all signed by the Governor with no referendum clauses on them, that is number one. In answer to my good friend from Lewiston, Mr. Jacques, insofar as the four-year term for Governor is concerned, that is a constitutional amendment and mandatorily must go before the people in referendum. That is our constitution.

Insofar as the bill calling for an increase from \$2500 to \$3500 that bill has already been signed by the Governor, presented by a member of the other branch, the bill has been presented, passed and signed by the Governor. There is another bill included in this bill of mine the raise insofar as the Aldermen is concerned, that is also well on its way to being a law with no objection by me nor by the gentleman from Lewiston, Mr. Jacques, who also serves in the capacity of an Alderman. Now so far as the referendum is concerned on this thing, if there had been any controversy on it at the hearing, if at home you could find controversy on it, far be it from me to stop the bill from going before referendum. It would take its normal course of events, it would become a law ninety days after we adjourn the Legislature. It would however, allow them to have an election this year and not wait until the following year and get it jammed in one with the state and local issues and secondly, this is one of the few bills that does save money, and as I said, it is not the Jalbert bill, it has been presented at the request of the charter committee and other vitally interested taxpayers and citizens of Lewiston of both parties. Consequently, I would hope for the indefinite postponement of House Amendment "A" to House Amendment "A".

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

Mr. DUMAIS: Mr. Speaker and Members of the House: In answer

to some of the questions that were said here this morning, I am a pretty fair - sized taxpayer, I am interested in saving money in Lewiston. I own property, not because I want to own it, but because I cannot sell it. I certainly want to see things go for betterment, and I appreciate the bill that the gentleman from Lewiston, Mr. Jalbert, put in, because it was part of my charter, in fact, it was the best part of the charter that I presented. And secondly, it has always been the talk of the people of the City of Lewiston that they never wanted to see the Boards packed. In this instance here, we are giving this man who will have done two years of appointments come out and appoint for two more years assuming that he will be reelected, naturally he has the say-so in the French language newspapers, and naturally it isn't Dumais or anybody else who is going to get to the French paper, and say what they want to say. He will say what he wants to say. Therefore, that is one thing, not that the Board has not been packed by the Mayor because occasions have arisen where a number of appointments have been made due to resignation or otherwise, but this is a perfect instance in this charter, where if this Mayor is reelected, he will absolutely out of his own free will without any resignation, pack these Boards. Therefore, as I said before, this does not mean that if this bill goes through, ladies and gentlemen, that we will not pay taxes. Rest assured of that. We may pay more taxes, but nevertheless this is shortening up the year, and if you have read the Lewiston papers, there is already a lot of anticipation as to what they are going to do with that extra dough that is left for three months, all kinds of ideas have come into the Aldermen and the Board of Finance as to what they are going to do with that money that is going to be left over. We read about — as taxpayers we read about a surplus of \$80,000, a surplus of \$100,000, but the tax rate never goes down. It is always up. I don't know what kind of a surplus that is, but it just manipulates into nothing at all, so this is another one of these things that we

are eventually going to get into a nine-month year somewhere along the line here, and when we do, there is going to be a boomerang somewhere, and we the taxpayers are going to be hit with it right plump in our laps. And incidentally, the people that live in the rents, the apartments that I own, do not feel that they want to pay any more rent, and God only knows I don't want to pay any more taxes either.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Lewiston, Mr. Cote, that House Amendment "A" to House Amendment "A" be indefinitely postponed. The Chair will order a division.

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

A division of the House was had.

Forty-two having voted in the affirmative and sixty-three 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. Dumais, that the House adopt House Amendment "A" to House Amendment "A". Is this the pleasure of the House?

The motion prevailed.

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

Mr. JALBERT: Mr. Speaker, before the bill is engrossed, I would like to present House Amendment "B".

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now offers House Amendment "B" and moves its adoption. The Chair would remind the gentleman that the House has not disposed of House Amendment "A" as yet, and would the gentleman defer offering his amendment until such times as we have acted upon that.

The question now before the House is on the adoption of House Amendment "A" as amended by House Amendment "A". Will those who favor adopting House Amendment

"A" as amended by House Amendment "A" please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

Thereupon, Mr. Jalbert of Lewiston offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 844, L. D. 1207, Bill, "An Act Revising Election Provisions in Charter of City of Lewiston."

Amend said Bill by inserting at the end the following section.

'Sec. 13. P. & S. L., 1959, c. 99, repealed; limitation. Chapter 99 of the private and special laws of 1959, heretofore passed by this Legislature, amending the last sentence of section 2 of article IV of chapter 8 of the private and special laws of 1939 is repealed and shall not be printed as part of the session laws of 1959.'

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

Mr. JALBERT: Mr. Speaker, long before this bill was heard before the Legal Affairs Committee, another bill was heard. It has been passed and signed by the Governor without referendum calling for an increase of salary for the Mayor of Lewiston from \$2500 to \$3500. The bill however read per term. If this bill were passed in referendum before the electorate of Lewiston, the object of the increase in salary would be defeated because it would be per term and not per year. This puts it back at \$3500 per year, however it would repeal the previous law.

The SPEAKER: The question is on the adoption of House Amendment "B". Is it the pleasure of the House that House Amendment "B" shall be adopted?

The motion prevailed.

Thereupon, the Bill was passed to be engrossed as amended by House Amendment "A" as amended by House Amendment "A" thereto and as amended by House Amendment "B" and sent to the Senate.

The SPEAKER: The Chair now lays before the House the eighth tabled and unassigned matter,

House Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act relating to Business and Recreation on Sunday," House Paper 758, Legislative Document 1076, tabled on April 14 by the gentleman from Bangor, Mr. Stanley, pending acceptance of the Report; and the Chair recognizes that gentleman.

Mr. STANLEY: Mr. Speaker, this morning in the other branch of the Legislature the bill regarding automobile dealers closing on Sundays was discussed. I assume it will be in the House tomorrow and I would request that we table this until tomorrow.

The SPEAKER: The gentleman from Bangor, Mr. Stanley, moves that the "Ought not to pass" Report in relation to this Bill be tabled and specially assigned until tomorrow pending acceptance.

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.

The SPEAKER: The question before the House now is the acceptance of the "Ought not to pass" Report. Is this the pleasure of the House?

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

The SPEAKER: The Chair now lays before the House the ninth tabled and unassigned matter, House Report "Ought to pass" of the Committee on Labor on Bill "An Act Repealing Certain Disqualifications of Benefits Under Employment Security Law," House Paper 397, Legislative Document 580, tabled on April 16 by the gentleman from Auburn, Mr. Wade, pending the motion of the gentleman from Lisbon, Mr. Karkos, to accept the "Ought to pass" Report.

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

Thereupon, on motion of that gentleman, on the original motion of the gentleman from Lisbon Mr. Karkos, the "Ought to pass" Report was accepted.

The Bill was then given its two several readings and assigned for third reading tomorrow.

The SPEAKER: The Chair now lays before the House the tenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act Directing Review of Provisions relating to Towns," House Paper 270, Legislative Document 402, tabled on April 17 by the gentleman from Bangor, Mr. Stanley, pending acceptance of the Report.

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

The SPEAKER: The Chair now lays before the House the eleventh tabled and unassigned matter, House Report "Ought to pass" in New Draft, and new title, House Paper 928, Legislative Document 1312 of the Committee on Business Legislation on Bill "An Act Restating the Law Governing Insurance Agents, Brokers and Fees," House Paper 854, Legislative Document 1222, tabled on April 17 by the gentleman from Ellsworth, Mr. Brown, pending acceptance; and the Chair recognizes that gentleman.

Mr. BROWN: Mr. Speaker, I move we accept the "Ought to pass" in New Draft Report.

The SPEAKER: The gentleman from Ellsworth, Mr. Brown, now moves that the House accept the "Ought to pass" in New Draft Report.

The Chair recognizes the gentleman from Augusta, Mr. Beane.

Mr. BEANE: Mr. Speaker, I should like to ask a question of the gentleman from Ellsworth, Mr. Brown.

The SPEAKER: The gentleman may state his question.

Mr. BEANE: I should like to ask what is the purpose or provision being repealed by this amendment.

The SPEAKER: The Chair would advise the gentleman that there is no amendment before the House at the moment.

Thereupon, the "Ought to pass" in New Draft Report was accepted, the Bill given its two several readings and assigned for third reading tomorrow.

The SPEAKER: The Chair now lays before the House the twelfth

tabled and unassigned matter, Bill "An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1960 and June 30, 1961," Senate Paper 461, Legislative Document 1313, tabled on April 23 by the gentleman from Bangor, Mr. Stanley, pending passage to be engrossed; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Bill was tabled pending passage to be engrossed and specially assigned for tomorrow.

The SPEAKER: The Chair now lays before the House the thirteenth tabled and unassigned matter, An Act relating to Automobile Travel by State Employees, Senate Paper 408, Legislative Document 1176, tabled on April 23 by the gentleman from Bangor, Mr. Stanley, pending passage to be enacted; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair now lays before the House the fourteenth tabled and unassigned matter, Bill "An Act Increasing Salaries of Judge and Recorder of Waterville Municipal Court," House Paper 525, Legislative Document 760, tabled on April 24 by the gentleman from Waterville, Mr. Lane, pending third reading.

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

Mr. DUDLEY: Mr. Speaker, as my seatmate is absent at the present time, but I understand from him there is a companion bill which they expect to be before the House before a week from Wednesday, and he would like to have this tabled and see if the companion bill would pass, and if it would, he would then like to have this not passed. So I would now move that this be tabled to a week from Wednesday, in view of his absence.

Thereupon, the Bill was tabled pending third reading and specially assigned for Wednesday, May 13.

The SPEAKER: The Chair now lays before the House the fifteenth

tabled and unassigned matter, Senate Report "Ought not to pass" as covered by other legislation of the Committee on Appropriations and Financial Affairs on Resolve Appropriating Moneys for Advertising and Promoting Maine's Recreational Industry," Senate Paper 153, Legislative Document 374, tabled on April 27 by the gentleman from Bridgton, Mr. Haughn, pending the acceptance of the "Ought not to pass" Report in concurrence; and the Chair recognizes that gentleman.

Mr. HAUGHN: Mr. Speaker and members of the House: We have coming before this body very shortly, I believe, a bill concerning tax on motels, hotels, and what have you, which was indirectly tied in with this particular bill. Pending that bill coming in before us to be heard, I request that this be retabled and specially assigned for Monday next.

Thereupon, the "Ought not to pass" Report and Resolve were re-

tabled pending acceptance in concurrence and specially assigned for Monday, May 11.

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The SPEAKER: The Chair now lays before the House the sixteenth tabled and unassigned matter, Bill "An Act Increasing Salaries of Justices of Supreme Judicial Court," House Paper 447, Legislative Document 653, tabled on April 27 by the gentleman from Bangor, Mr. Stanley, pending passage to be engrossed; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Bill was passed to be engrossed and sent to the Senate.

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

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On motion of Mr. Barnett of Augusta,

Adjourned until nine o'clock tomorrow morning.