

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Ninth Legislature

OF THE

STATE OF MAINE

1959

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, May 7, 1959

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

Prayer by the Rev. Mr. J. P. Williams of Augusta.

The journal of yesterday was read and approved.

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

Report of the Committee on Transportation reporting "Ought not to pass" on Bill "An Act relating to Transit Registration Plates for Construction Contractors" (S. P. 240) (L. D. 623)

Came from the Senate read and accepted.

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

Ought to Pass in New Draft

Report of the Committee on Public Health on Bill "An Act to Regulate the Practice of Nursing" (S. P. 318) (L. D. 880) reporting same in a new draft (S. P. 475) (L. D. 1339) under same title and that it "Ought to pass".

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

In the House, the Report was read and accepted in concurrence, the New Draft read twice and tomorrow assigned.

Divided Report

Report "A" of the Committee on State Government reporting "Ought to pass" on Bill "An Act to Reimburse Town of Thomaston for Loss of Tax Revenue" (S. P. 237) (L. D. 620)

Report was signed by the following members:

Messrs. LESSARD of Androscoggin
ROSS of Sagadahoc
— of the Senate.

Messrs. WADE of Auburn
SANBORN of Gorham
BARNETT of Augusta
— of the House.

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

Report was signed by the following members:

Mr. HILLMAN of Penobscot
— of the Senate.

Messrs. PLANTE of
Old Orchard Beach
SMITH of Exeter
COYNE of Waterville
DENNETT of Kittery
— of the House.

Came from the Senate with Report "B" accepted.

In the House: Reports were read.

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

Mr. WADE: Mr. Speaker and Members of the House: This is the third bill of this kind on which the Committee on State Government brought out a divided report in order to enable the sponsors of the bills to present the problems of their respective communities to the Legislature. This has been done with reference to this bill, and I now move the acceptance of Report "B" in concurrence.

The SPEAKER: The gentleman from Auburn, Mr. Wade, moves that the House accept Report "B" "Ought not to pass" in concurrence.

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

Mr. KNIGHT: Mr. Speaker: This situation deals with the Town of Thomaston and the State Prison which is situated there. Now, we all feel that our case is different, as differs on the facts, and I feel that this one differs from the previous two cases that have been presented before this Legislature in that the property taken by the State in Augusta was used for governmental functions. Also land that was used in connection with the Prison Farm in Warren was also used for the use of the Prison Farm, but here the State Prison has taken two dwelling houses and is now using them as rooming houses and lodging for employees of the prison, and the employees of the prison pay rent to the State Prison, and the State Prison derives a profit from these rentals. In effect, the State Prison has now gone into the business of running a lodging house, and for that reason I feel that the motion by the gentleman from Auburn, Mr.

Wade, should not prevail and I urge you to vote against it.

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

Mr. WINCHENPAW: Mr. Speaker, I would like to carry this scene just one step further. Not only does the State and the prison receive rent from this house — these houses, even the warden pays rent for the house he lives in, and they also have a store there, and if you go down there next Sunday you will find that that is probably one of the few places in Knox County where they will be selling furniture. They sell furniture all day Sunday in competition with the other local stores who won't open up again till Monday morning. They even sell coca-cola and soft drinks, and we feel that this is a very just cause and that the Town of Thomaston should be reimbursed for these taxes on this property that the state is using to gain a profit on since they compete with the local merchants in that area, and this is a very small amount we're asking for. We're only asking for \$1,200 which is smaller than the actual loss in taxes to the Town of Thomaston, so I hope the motion made by the gentleman from Auburn, Mr. Wade, does not prevail.

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

Mr. KNIGHT: When the vote is taken, I request a division.

The SPEAKER: A division has been requested.

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

Mr. HEALD: Mr. Speaker, I want to go on record as being in favor of this bill also, it isn't just the tax revenue as has been already pointed out, the fact that the State is going into competition with private enterprise. I don't think the situation should exist and the reimbursement is little enough.

The SPEAKER: Is the House ready for the question?

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

Mr. WADE: As the House Chairman of the Committee on State Government, we felt that although there may be minor differences in this bill as compared with the other two,

that the principle of altering the tax structure and of opening up the door to other and perhaps more extensive changes in the tax structure was not a good sound legislative policy, and I hope that my motion does prevail. And I would also say that with reference to these conditions, it does seem to me that we would do better to have such conditions remedied from an executive, administrative standpoint rather than alter the tax structure to correct them.

The SPEAKER: Is the House ready for the question?

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

Mr. WINCHENPAW: I would like to point out to this House that Mr. Wade, the gentleman from Auburn, signed the Report "Ought to pass". Mr. Wade signed Report "A".

The SPEAKER: Is the House ready for the question?

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

Mr. WADE: I think that the House is familiar with the fact that, as I pointed out in connection with the two other bills, these reports were brought out deliberately on a five and five basis, and there was absolutely no reference to whether a person was for or against it. It was purely a matter of bringing to the attention of the Legislature the problems that exist in certain communities in this state with reference to state-owned property. The question of whether I favored it or not had nothing to do or, as far as that is concerned, the report that any member of the Committee on State Government signed had nothing to do with their standing on it. We were opposed to tampering with the tax structure, but we did feel it was worthwhile to give these communities a chance to air their problems.

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

Mr. HEALD: I don't completely understand the thinking of the Committee on State Government. They are opposed to it, and they are for it. Now, if they are afraid of breaking a precedent let's do it some other way, but I think that

this town should be considered and this is a situation that should be remedied. Now I don't care, and probably the rest of you don't, whether you do it as a tax reimbursement or in some other method, but I feel this bill should go through and give them a chance to get the thing straightened out.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Auburn, Mr. Wade, that the House accept the Report "B" "Ought not to pass" on Bill "An Act to Reimburse Town of Thomaston for Loss of Tax Revenue," Senate Paper 237, Legislative Document 620. A division has been requested. Will those in favor of the acceptance of Report "B" "Ought not to pass" please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-six having voted in the affirmative and thirty-four in the negative, the "Ought not to pass" Report was accepted and sent up for concurrence.

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of a group of Government students from Westbrook Junior College, accompanied by their instructor, Mr. Charles Scontras. On behalf of the House, the Chair extends to you ladies and gentlemen a most cordial welcome and we hope you will enjoy and profit by your visit here today. (Applause)

Non-Concurrent Matter

Resolve Opening Wilson Lake, Franklin County, to Ice Fishing (H. P. 66) (L. D. 104) on which the House accepted the Majority "Ought not to pass" Report of the Committee on Inland Fisheries and Game on February 17.

Came from the Senate with the Minority Report accepted and the Resolve passed to be engrossed in non-concurrence.

In the House:

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

Mr. MAXWELL: I move that we recede and concur.

The SPEAKER: The gentleman from Jay, Mr. Maxwell, moves that the House recede and concur.

The Chair recognizes the gentleman from Carthage, Mr. Hutchinson.

Mr. HUTCHINSON: Mr. Speaker, Ladies and Gentlemen: Many weeks ago this bill concerning ice fishing on a little small pond up in Wilton, and even with an emergency clause attached to it, came out of Committee with a nearly unanimous report that it "Ought not to pass", and that "Ought not to pass" report was overwhelmingly supported in this House, and the resolve sent to the other body. Due to a bit of lobbying, one of the upstate county members of that body, who had no interest whatever in the bill, tabled it unassigned and has kept it on that long list, lately in the number three place, for many, many weeks in an attempt and for the express purpose to try to get us to change our minds, and to slip it through unnoticed in the last days of this session. This little pond is situated principally almost in the village of the Town of Wilton, up in Franklin County, and all of the leading citizens, almost without exception, are very much interested in keeping this pond free from ice fishing due to the nuisance value. This pond has been open for ice fishing and up until — and it created such a nuisance that it was closed by act of this body four years ago I believe, and now there is being an attempt made to reopen it for ice fishing. The fishing there isn't much anyway and it does create a nuisance to people who live the year 'round either on the shore or very close to it. I respectfully request the members of this House to join me in the indefinite postponement of this bill and all accompanying papers, and I so move.

The SPEAKER: The Chair states the question now to be the motion of the gentleman from Carthage, Mr. Hutchinson, that the Resolve and all accompanying papers be indefinitely postponed.

The Chair must advise the gentleman from Carthage that in a non-concurrent matter, the only motions which are allowable are the motions to recede, concur, adhere and insist, and the gentleman from

Jay has already moved that the House recede and concur in accepting the minority report, so a motion to indefinitely postpone is not in order at this time.

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

Mr. MAXWELL: Mr. Speaker, Members of the House: I had not intended at this time to take the time to debate this bill in any way. I would merely like to point out two or three facts.

At the public hearing, there was only one person present from the Town of Wilton in opposition to the bill. There were eleven that were for it. The pond, it has been said, is a small pond located within the town. I am afraid this is a little — not quite the facts of the case. The pond has an area of 480 acres. It has a maximum depth of 88 feet so it is quite a good sized little body of water. The suggested management that comes from the Department of Inland Fisheries and Game, and I have that from which I am going to read, is that the presence of competing bass, perch and pickerel is unfortunate and undoubtedly reduces the total production of trout and salmon considerably. Management procedures should include maintenance of suitable and stable water level and liberalize fishing regulations for perch, bass and pickerel. Now, as is evident by the fact that I am here as a representative from the Town of Wilton, I hope to be able to serve and obtain for my people legislation that will benefit the large majority of them and not a very very small but influential minority group that are misled into believing that ice fishermen are undesirable people, are misled into believing that ice chisel and a pail of bait and starts onto a pond he then becomes undesirable. That's in the eyes of a few people.

On August 12, 1958 a public hearing was held in Wilton to open Wilson Lake to ice fishing. At that time there was no opposition to the hearing, but through letters and pressure on the department, it was turned down at a council hearing on September 24, 1958. Then members of the Fish and Game Association from the Town of Wilton got together and presented me with a

petition to introduce this bill. The reason for the emergency clause was so that they could have ice fishing for this winter. That is passed so there is no need of any emergency on the bill. Now in all fairness to the department I would like to state that they recommend ice fishing in this lake to help control so-called rough fishes, as I have previously explained by the department papers.

The Wilton Fish and Game Club has one hundred and forty-four active members and they plan to conduct a contest offering prizes, for the most and largest yellow perch and pickerel and suckers, hoping to eliminate large numbers of these species. In order to prevent damage to shore property we plan to erect signs and supply wood at various points. The Town Manager, Mr. James Ordway, has agreed to provide access for the automobiles at the foot of the lake. This will eliminate the need for crossing cottage property, although at this time I would like to state that nine-tenths of the cottage owners on Wilson Lake are entirely for this bill. The Wilton Club is backed by the Franklin County Association of which I happen to be President. We strongly feel that organized sportsmen deserve primary recognition in matters of this sort in our local area. I therefore hope to see the bill passed.

The SPEAKER: The question before the House is that the House recede and concur in accepting the Minority "Ought to pass" Report. Is the House ready for the question?

All those in favor of accepting the Minority "Ought to pass" Report please say aye; those opposed, no.

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

Sixty-seven having voted in the affirmative and forty-six in the negative, the Minority "Ought to pass" Report was accepted in concurrence.

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

Non-Concurrent Matter

Resolve Establishing Daily Limit of Trout on Ledge Pond, Charlotte Township, Washington County (H. P. 498) (L. D. 711) which was finally passed in the House on March 20 and passed to be engrossed on March 13.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act Repealing the Two Inch Clam Law" (H. P. 177) (L. D. 248) which was passed to be engrossed as amended by Committee Amendment "A" in the House on April 8.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, Ladies and Gentlemen: You probably all remember this bill. It has been with us in the State for over two decades. It originally came out of the Sea and Shore Fisheries Committee with a report of nine to one ought to pass, an Act Repealing the Two Inch Clam Law. It was not found suitable to many members of this House and was referred back to Committee. We attached an amendment. That amendment provided the two inch clam law, if passed, would not go into effect until June 1, 1960, which would give any town in the State which desired to keep the law for its own flats, time to enact a law at their town ordinance. I now move, ladies and gentlemen, that we adhere and that a Committee of Conference be appointed.

The SPEAKER: The Chair would request the gentleman from Southport to approach the rostrum.

(Conference at rostrum)

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, I now withdraw my motion to adhere and I now move that we insist and request a Committee of Conference.

The SPEAKER: The Chair understands the gentleman from South-

port, Mr. Rankin, withdraws his motion to adhere, and that the same gentleman now moves that the House insist and request a Committee of Conference.

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

Mr. CROCKETT: Mr. Speaker, this clam bill has been knocked around here all winter long and we will probably be here until next July if we don't get rid of it today. It has been the wishes of the majority of the people, there is no question about it, when it comes out as it is reported into this House today, and if I am in order, I move we recede and concur.

The SPEAKER: The Chair would advise the gentleman that the motion to recede and concur does take priority over a motion to insist. The question now before the House is the motion of the gentleman from Freeport, Mr. Crockett, that the House recede and concur.

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

Mr. WINCHENPAW: Mr. Speaker, Members of the House: I don't want to take too much of your time, but I would just like to say one more word in favor of this bill. It is true we worked all winter on this bill, and it is also true that after we put the amendment on it we thought it was going to be favorably accepted, and it is also true that specially in Washington County this bill if it could be passed or we could have a Committee of Conference on it, would bring in a great deal of revenue, and in Washington County especially there are long sandbars that have clams that never get to two inches, maybe they only get to an inch and fifteen-sixteenths. They are still illegal. If they will drop through that ring they are illegal, and if a clam digger is caught with over ten percent of those they take him to court and fine him \$15.00. Now my contention is, it is a shame and it is a crime to keep on making criminals out of an honest clam digger, and I hope the motion made by the gentleman from Freeport does not prevail.

The SPEAKER: The Chair recognizes the gentleman from East Machias, Mr. Dennison.

Mr. DENNISON: Mr. Speaker and Ladies and Gentlemen: Each week-end that I go home I hear — they ask me about this bill, that is in the several towns in all the Machias Bay area, and I have to reply to them that it is tabled in the other House. That is the only answer that I can give them. Now they are all very much in favor of this bill. You know how it came out of our Committee nine to one in favor, and after this amendment was put on the bill it seemed as though it really pleased most of the Committee, and the people, in all the localities that are affected, and I want to go along with our House Chairman on this bill.

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Rankin.

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

The SPEAKER: A division has been requested. The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, Ladies and Gentlemen of the House: The very same words that I said when I held this bill up here sometime last winter was if you take the eggs away from the chicken, you certainly have got nothing to hatch. This bill in its original form the way they would like it, is clams as large as your fingernail they could keep. I understand there is a firm ready to take those little clams, which are the seed, and eventually put them up in olive oil and sell them as a delicacy. Now if you want to take our seed away, I am telling you that it is good-by clams.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, I hate to disagree with my good friend from Freeport, Mr. Crockett, but as you know and I know nobody will pick up those clams as small as your fingernail. The diggers can't afford to do it. The diggers don't bother with those, and perhaps as you know and I know a clam a half inch long will seed the whole bay, and this two inch clam law has destroyed the clams.

This has been on the books for twenty-four years, and every year the clams have been depleted because so many of them have been left on the flats to go to waste, and so many of the diggers have been hauled into court. In our area a warden will catch up with a digger that has eleven per cent or twelve per cent. Just a few days ago they arrested a fellow from my area and hauled him in court and fined him \$14.40, \$10.00 fine and \$4.40 costs of court, because he had twenty-eight per cent over, that was eighteen per cent over. I figure if he had five hundred clams, he had ninety clams that were under two inches. Now that is quite a price to pay for ninety clams that are just a little under two inches. We know that this law should be repealed. It hasn't helped the clam industry a bit, and those small clams spew out seed all up and down the bay and then beside there are forty-five thousand acres of polluted area that have big clams in it that no one is allowed to dig. Those forty-five thousand acres of polluted clams will more than amply seed the whole coast, and this is a bill that will give the clam digger a break.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Shepard.

Mr. SHEPARD: Mr. Speaker and Members of the House: There is one more point that I think needs to be raised, that is the fact that with this two inch clam law in effect it serves as a grading process for the buyer and packer. I think that the buyer and packer should be doing his own grading and not expect the law of the State of Maine to stand that expense. I go along with the Committee's ought to pass Report.

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

Mrs. KNAPP: Mr. Speaker and Members of the House: I heard my good friend the gentleman from Friendship, Mr. Winchenpaw, say that they wouldn't bother with these small clams. It's funny they bother to pick up the periwinkles and we pay \$1.50 a can if we want them put up in oil, and I dare say that they would pick up every clam in

sight if this bill goes through, and I certainly agree with the gentleman from Freeport, Mr. Crockett.

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

Mr. LOWERY: Mr. Speaker, I probably have as many clam diggers and quahog diggers in our area as there is in any other section of the State. I had quite a job selling the repeal to our local diggers as it was originally worded. When I went back to them and told them that we had a local option clause, I got responses from the largest majority of those diggers favoring the repeal of the bill. I took it to those diggers themselves. They are the people now who want the repeal because the local option clause is in there, and I certainly hope that the motion of the gentleman from Freeport does not prevail.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Freeport, Mr. Crockett, that the House recede and concur on Bill "An Act Repealing the Two Inch Clam Law," House Paper 177, Legislative Document 248. A division has been requested.

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

A division of the House was had.

Two having voted in the affirmative and eighty-seven 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 Southport, Mr. Rankin, that the House insist and request a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: On the disagreeing action of the two branches on Bill "An Act Repealing the Two Inch Clam Law," the Chair will appoint to the Committee of Conference on the part of the House the gentleman from Southport, Mr. Rankin; the gentleman from Friendship, Mr. Winchenpaw, and the gentleman from East Machias, Mr. Dennison.

Non-Concurrent Matter

An Act Changing Name of Inland Fish and Game Wardens to Conservation Officers (H. P. 253) (L. D. 364) which was passed to be enacted in the House on March 10 and passed to be engrossed on February 25.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Carville of Eustis, the House voted to recede and concur with the Senate.

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

Non-Concurrent Matter

Resolve Opening Cross Lake, Aroostook County, to Ice Fishing (H. P. 113) (L. D. 168) on which the House voted to insist on its action on March 12 whereby the Resolve was passed to be engrossed as amended by House Amendment "A".

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Johnson of Stockholm, the House voted to further insist and request a Committee of Conference.

House at Ease

Called to order by the Speaker.

The SPEAKER: With regard to the disagreeing action of the two branches on Resolve Opening Cross Lake, Aroostook County, to Ice Fishing, the Chair will appoint to the Committee of Conference on the part of the House, the gentleman from Stockholm, Mr. Johnson, the gentleman from Ashland, Mr. Prue, and the gentleman from Van Buren, Mr. Lebel.

Non-Concurrent Matter

Resolve Opening Big Pleasant Lake and Spider Lake in Piscataquis County to Ice Fishing (H. P. 157) (L. D. 234) on which the House substituted the Resolve for the "Ought not to pass" Report of the Committee on Inland Fisheries and Game and passed the Resolve to be engrossed on March 13.

Came from the Senate with the Report accepted in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act relating to Services of State Police on Maine Turnpike" (H. P. 605) (L. D. 865) on which the House accepted the Minority "Ought to pass" Report of the Committee on Highways and passed the Bill to be engrossed on May 4.

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

In the House:

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

Mr. CROCKETT: Mr. Speaker and Members of the House: I humbly get up here this morning and thank you all for going along with me on this bill, but however, I will take it like a chocolate soldier and smile. I now move we recede and concur.

The SPEAKER: The gentleman from Freeport, Mr. Crockett, moves that the House recede and concur. Is this the pleasure of the House?

The motion prevailed.

Non-Concurrent Matter

Bill "An Act Exempting Certain Fraternal Societies from Property Taxes" (S. P. 473) (L. D. 1338) which was indefinitely postponed in non-concurrence in the House on April 30.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. CHARLES of Cumberland
WYMAN of Washington
WILLEY of Hancock

In the House:

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

Mr. WALSH: Mr. Speaker, I move we adhere to our former action.

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

Mr. BRAGDON: Mr. Speaker, I move that we insist and join in a Committee of Conference.

The SPEAKER: The question now before the House is the motion of the gentleman from Perham, Mr. Bragdon, that the House insist and join in a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: On the disagreeing action of the two branches on Bill "An Act Exempting Certain Fraternal Societies from Property Taxes" the Chair will appoint to the Committee of Conference on the part of the House the gentleman from Orono, Mr. Treworgy, the gentlewoman from Presque Isle, Mrs. Christie, and the gentleman from Portland, Mr. Miller.

Orders

Tabled and Assigned

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

Mrs. HARRINGTON: Mr. Speaker, I would inquire if L. D. 91 is in the possession of the House?

The SPEAKER: The Chair will advise the gentlewoman that it is in possession of the House.

Mrs. HARRINGTON: I now move that the House reconsider its action whereby yesterday it indefinitely postponed Legislative Document 91. Mr. Speaker, I voted on the prevailing side. I understand that an amendment is to be offered.

The SPEAKER: The gentlewoman from Patten, Mrs. Harrington, moves that with respect to Bill "An Act Concerning Liability of Parents for Damage by Children," Senate Paper 58, Legislative Document 91, the House now reconsider its action whereby it indefinitely postponed this bill on yesterday.

The Chair recognizes the gentlewoman from Yarmouth, Mrs. Knapp.

Mrs. KNAPP: I wish to offer an amendment and speak briefly on it.

The SPEAKER: The gentlewoman will have to defer until the motion to reconsider has been dealt with. The question before the House is the motion of the gentlewoman from Patten, Mrs. Harrington, that the

House reconsider its action whereby it indefinitely postponed on yesterday the bill "An Act Concerning Liability of Parents for Damage by Children".

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

Mr. BROWN: Mr. Speaker, I rise in opposition to the motion to reconsider this bill. May I speak?

The SPEAKER: The gentleman may proceed.

Mr. BROWN: It is still the same bill that came out of Committee with the unanimous Report "Ought not to pass". It is still the same bad bill, and class legislation that it was yesterday. I still do not feel that I should be penalized because I have three children and if one of them walks across the neighbor's lawn and tramples one of her posies that we be hauled into court for youthful misadventure. I hope the motion to reconsider does not prevail, and when the vote is taken, I request a division.

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

Mr. KELLAM: Mr. Speaker, Members of the House: I am not going to talk any more about this bill, at least not at length, but I have repeatedly heard the opposition state matters of common negligence which would be affected by this bill which are in no way concerned with the subject. This bill would not make parents liable for the negligent acts of children. It makes them liable for outright vandalism and maliciousness and I believe that this is justified since these acts are directly attributable to the upbringing of children. I don't believe it will have a great deal of effect upon the older children. The effect would be to make parents assume a little more responsibility for children of very tender years, the eight and ten year olds, when they are starting to develop these traits, and therefore I feel that it is a good bill.

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

Mrs. SMITH: Mr. Speaker, you know I feel rather strongly that this House would be remiss that they did not give an opportunity for this amendment to be presented. Last time I went along with Judiciary

because of their conviction that the bill would create a great many difficulties. Now, they have been remiss in their duty because they could have helped offer these amendments, but they have not done so. Now some of us have an amendment which we hope will straighten out the bill. I am a past director of the Maine Federation of Women's Clubs, and across this state there is one thing that the women know about, and understand, and feel that something should be done, and I wish that you might give us this opportunity to add this amendment and then you may do what you wish.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Aliberti.

Mr. ALIBERTI: Mr. Speaker, Ladies and Gentlemen of the House: I spoke for this bill when it was previously brought before this Honorable House. I would like to stay right with the record. I am still in favor of it. However, I believe that the gentlewoman from Falmouth, Mrs. Smith, probably is a little bit off the track with regard to the Judiciary Committee. I believe that the Judiciary Committee, on many occasions, in Committee have tried very hard to propose amendments which were more or less turned down by the sponsor of the bill. Now we want to be fair with the Committee. I think they have done a wonderful job and had this amendment been offered and accepted by the sponsor at the time, we would not be debating the bill here today. However, I am very much in favor of the bill and hope that it will pass.

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

Mr. CURTIS: Mr. Speaker, would I be in order to inquire what the amendment provides for? In other words, I don't know how to vote on this thing, whether to reconsider or not. I don't know what the amendment would be.

The SPEAKER: The Chair would advise the gentleman and the House that the Chair understands this amendment has not been reproduced and distributed, and in view of that fact if the motion to reconsider does prevail, the entire matter will have to be tabled until the amend-

ment has been reproduced and distributed.

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

Mr. JALBERT: Mr. Speaker, I move that the matter lie upon the table.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves that the motion of the gentleman from Patten, Mrs. Harrington, be tabled pending further consideration, and the Chair would advise the gentleman that the motion must be assigned for a time certain.

Mr. JALBERT: Mr. Speaker, I am not particularly interested one way or another. We have a full calendar for today. I would suggest tomorrow.

The SPEAKER: The gentleman moves that the motion of the gentleman from Patten, Mrs. Harrington, for reconsideration, be tabled pending further consideration and be specially assigned for tomorrow.

Mr. BRAGDON: Mr. Speaker, I ask for a division on the motion.

The SPEAKER: A division has been requested. Will those who favor the motion to table the motion for reconsideration on Bill "An Act Concerning Liability of Parents for Damage by Children," Senate Paper 58, Legislative Document 91, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety having voted in the affirmative and twenty-seven having voted in the negative, the motion prevailed.

Tabled Until Later in Today's Session

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

Mr. WADE: Mr. Speaker, I would inquire whether the House has in its possession Bill "An Act Establishing a Minimum Wage," Divided Reports on which L. D. 1337 and L. D. 92 were indefinitely postponed in the House yesterday.

The SPEAKER: The Chair would advise the gentleman that those documents are in the possession of the House.

Mr. WADE: Mr. Speaker and Members of the House: I would move that the House reconsider its action whereby these Reports were indefinitely postponed.

The SPEAKER: Does the gentleman wish to speak to his motion?

Mr. WADE: Mr. Speaker, in order to clarify the action of the whole Legislature on this important matter of a minimum wage, I sincerely hope that my motion to reconsider our action whereby this bill was indefinitely postponed will prevail.

The SPEAKER: The question before the House is the motion of the gentleman from Auburn, Mr. Wade, that the House reconsider its action whereby yesterday it indefinitely postponed Bill "An Act Establishing a Minimum Wage," L. D. 92, and L. D. 1337, which is a New Draft of L. D. 92.

The Chair recognizes the gentleman from Rumford, Miss Cormier.

Miss CORMIER: I request when the vote is taken it be taken by a roll call.

The SPEAKER: The gentleman from Rumford, Miss Cormier, requests a roll call.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: I want to concur with the motion made by the gentleman from Auburn, Mr. Wade, and hope that this House will go along with that in fairness to give full consideration of measures that haven't been brought to our attention.

The SPEAKER: Is the House ready for the question? The gentleman from Rumford, Miss Cormier, has requested a roll call. For the Chair to order a roll call, the Chair must have an expression of a desire for a roll call on the part of one-fifth of all the members of the House. Will those who favor a roll call please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

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

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

Mr. BERMAN: Mr. Speaker, may I ask, is this the eighty cent bill?

The SPEAKER: It is.

Mr. BERMAN: Thank you.

The SPEAKER: The question before the House is the motion of the gentleman from Auburn, Mr. Wade, that the House reconsider its action of yesterday whereby it indefinitely postponed L. D. 92, Bill "An Act Establishing a Minimum Wage" which appeared in New Draft as L. D. 1337 under the same title, and both Reports. If you favor the motion to reconsider the indefinite postponement, you will say "yes" when your name is called, and if you oppose the motion, you will say "no".

The Clerk will call the roll.

ROLL CALL

YEA — Baker, Baxter, Bragdon, Brockway, Brown, Bangor; Brown, Cape Elizabeth; Brown, Ellsworth; Carter, Carville, Caswell, Chapman, Gardiner; Chapman, Norway; Choate, Christie, Clark, Cousins, Dean, Dennison, Dodge, Dumaine, Edgerly, Edmunds, Edwards, Stockton Springs; Emmons, Ervin, Frazier, Good, Graves, Hancock, Hanson, Bradford; Hanson, Lebanon; Harrington, Haughn, Heald, Hobbs, Hodgkins, Hutchinson, Jewell, Kennedy, Knapp, Knight, Lindsay, Linnell, Maddox, Mathews, Mathieson, Mayo, Monroe, Moore, Morse, Parsons, Perry, Easton; Philbrick, Pike, Rankin, Rowe, Limerick; Shepard, Smith, Falmouth; Stanley, Storm, Treworgy, Trumbull, Turner, Wade, Walter, Weston, Wheaton, Whiting, Whitman, Williams, Winchenpaw.

NAY — Aliberti, Bacon, Barnett, Beane, Berman, Boone, Briggs, Cahill, Call, Caron, Cormier, Cote, Couture, Cox, Coyne, Crockett, Curtis, Cyr, Augusta; Cyr, Fort Kent; Davis, Westbrook; Desmarais, Dostie, Doyle, Dudley, Dufour, Dumais, Dunn, Earles, Edwards, Raymond; Gallant, Harris, Healy, Hendricks, Hendsbee, Hilton, Hughes, Jacques, Jalbert, Johnson, Karkos, Kellam, Kilroy, Kinch, Lacharite, Lancaster, Lane, Lantagne, Lebel, Lemelin, Letourneau, Lowery, Maxwell, Miller, Perry, Hampden; Pert, Pitts, Plante, Porell, Prue, Reed, Rowe, Madawaska; Russell, Saunders, Smith, Exeter; Tardif, Walls, Walsh, Warren, Young.

ABSENT — Danes, Davis, Calais; Dennett, Dow, Hardy, Jewett, Jones, Nadeau, Rollins, Sanborn.

Yea, 71. Nay, 69. Absent, 10.

The SPEAKER: Seventy-one having voted in the affirmative, sixty-nine having voted in the negative, with ten absentees, the motion to reconsider does prevail.

Thereupon, on motion of Mr. Wade of Auburn, tabled and specially assigned for later in today's session.

The SPEAKER: The House is proceeding under Orders.

On motion of Mr. Pike of Lubec, it was

ORDERED, the Senate concurring, that the Legislative Research Committee be, and hereby is, directed to study and report to the 100th Legislature on the feasibility of placing Rural Electrification Cooperatives under the jurisdiction of the Public Utilities Commission for regulatory purposes in the same manner as private utilities are now regulated under the Revised Statutes of 1954, chapter 44, as amended, and specifically as to whether or not said Cooperatives should be permitted to exercise the power of eminent domain. (H. P. 961)

Mrs. Smith of Falmouth presented the following Order and moved its passage:

WHEREAS, the members of the House have learned that today is the birthday of Mr. Jalbert of Lewiston,

BE IT ORDERED, that the members of the House extend to Mr. Jalbert their congratulations and their best wishes not only for today but for the entire year.

The Order received unanimous passage. (Applause)

Mr. Miller of Portland presented the following Order and moved its passage:

WHEREAS, the legislative batting average of the Republicans and Democrats in this House is almost equal, we feel that the tie should be broken on the Field of Softball, so that once and for all the people throughout the State will know which is the superior party;

BE IT ORDERED, that we, the Democrats of the House, challenge the Republican members, including the gentleman from Sebago, Mr. Good, to a softball game at a time and place convenient for all concerned.

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

Mr. GOOD: Mr. Speaker, I am always ready to accept a challenge on behalf of the republicans, and to maintain our position of superiority — I don't know whether to take off my glasses or put them on. I don't dare look around, but I do have my eye on my good friends of the Press. We have played hard ball here all winter. It will be a pleasure to play softball with the democrats a little later on although I think I much prefer to play hard ball. I am going to insist, however, that we have a committee of conference on the selection of a referee, and I'm calling it a referee because this is going to be a battle, and on the ground rules. Now since the Republican Party represents all the people, I assume that that challenge also includes the girls of the Republican Party in this House, and they are eligible to play of course in this contest. I hope that all the members of the Republican Party will immediately go into training in order that we may establish and maintain another series of victories. Now those who wish to play, I wish you would give me your name and the position you would like to play. I will be occasionally in the gymnasium to receive these requests. In case you don't know where the gymnasium is, that is that edifice commonly known as the Augusta House. (Applause)

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Aliberti.

Mr. ALIBERTI: Mr. Speaker, I would like to recommend that the name baseball in that order be changed to softball, just for the record, so there will be no battling before we start.

The SPEAKER: The Chair will advise the gentleman from Rumford, that the clerical correction has already been made.

Thereupon, the Order received passage.

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of a group of fifty fourth, fifth and sixth grade students from the North Jay School, the Student Government Classes, accompanied by their Principal, Mr. Ernest Hughes, and their Teacher, Mrs. Donald. On behalf of the House, the Chair extends to all of you ladies and gentlemen a most cordial welcome, and we hope you will enjoy and profit by your visit here today. (Applause)

The SPEAKER: The House is proceeding under Orders.

House Reports of Committees Ought to Pass in New Draft New Drafts Printed

Mr. Frazier from the Committee on Education on Bill "An Act to Authorize Burlington, Enfield, Greenbush, Greenfield, Howland, Lowell, Maxfield, Passadumkeag and Seboeis Plantation to Form a School Administrative District" (H. P. 829) (L. D. 1180), which was re-committed, reported same in a second new draft (H. P. 960) (L. D. 1362) under title of "An Act to Authorize Enfield, Greenbush, Greenfield, Howland, Maxfield, Passadumkeag, La Grange and Seboeis Plantation to Form a School Administrative District and to Authorize North Berwick and South Berwick to Form a School Administrative District" and that it "Ought to pass".

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

Tabled and Assigned

Mr. Mathieson from the Committee on Education on Bill "An Act to Clarify Procedure for Reorganization of School Administrative Units" (H. P. 894) (L. D. 1263) reported same in a new draft (H. P. 958) (L. D. 1360) under same title and that it "Ought to pass".

Report was read.

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

Miss CORMIER: Mr. Speaker, this is a very important piece of legislation and one which should be discussed because it does make

rather sweeping changes. Therefore, I move that it be tabled and specially assigned for Tuesday.

The SPEAKER: The gentlewoman from Rumford, Miss Cormier, moves that this matter be tabled and specially assigned for Tuesday, May 12, pending acceptance of the Committee Report. Is this the pleasure of the House?

The motion prevailed.

Mr. Rowe from the Committee on Education on Bill "An Act to Authorize the Municipalities of Farmingdale and Hallowell to Form a School Administrative District" (H. P. 742) (L. D. 1061), which was recommitted, reported same in a second new draft (H. P. 959) (L. D. 1361) under title of "An Act to Authorize the Municipalities of Farmingdale and Hallowell to Form a School Administrative District and the Municipalities of Bingham, Caratunk Plt., Moscow, The Forks Plt., and West Forks Plt. to Form a School Administrative District" and that it "Ought to pass"

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

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

Thereupon, the Sergeant-at-Arms conducted the gentleman from South Portland, Mr. Linnell, to the rostrum to serve as Speaker pro tem amid the applause of the House, and Speaker Edgar retired from the Hall.

Ought to Pass Printed Bill

Mr. Emmons from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to Appeals from Interlocutory Decrees" (H. P. 792) (L. D. 1124)

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

Ought to Pass with Committee Amendment

Mr. Cox from the Committee on Judiciary on Bill "An Act Correct-

ing Certain Inconsistencies in the Probation and Parole Law" (H. P. 290) (L. D. 437) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 290, L. D. 437, Bill, "An Act Correcting Certain Inconsistencies in the Probation and Parole Law."

Amend said Bill by striking out Section 1, 6, and 7.

Further amend said Bill by renumbering sections 2, 3, 4, 5, and 8 to read 1, 2, 3, 4, 5.

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

Divided Report Tabled and Assigned

Majority Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act relating to State Aid for School Construction" (H. P. 3) (L. D. 12)

Report was signed by the following members:

Messrs. DOW of Lincoln
BATES of Penobscot
— of the Senate.
Messrs. MATHIESON of Montville
ERVIN of Houlton
ROWE of Madawaska
FRAZIER of Lee
Mrs. HANSON of Lebanon
— of the House.

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

Report was signed by the following members:

Mr. COFFIN of Cumberland
— of the Senate.
Mr. CLARK of Scarborough
Miss CORMIER of Rumford
— of the House.

Reports were read.

(On motion of Mr. Clark of Scarborough, tabled pending acceptance of either Report and specially assigned for Thursday, May 14.)

Third Reader**Tabled Until Later in the Day**

Bill "An Act relating to Minimum Wages" (S. P. 82) (L. D. 154)

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

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

Mr. HAUGHN: Mr. Speaker and Members of the House: I have an amendment being drawn up on this item and it should be ready shortly, and with the permission of the House I would like to lay this on the table until a little later in the day's session until that amendment arrives.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that this bill be tabled and specially assigned for later in today's session. Is this the pleasure of the House?

(Cries of "No")

The SPEAKER pro tem: Will those who favor the tabling motion please say aye; those opposed, no.

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

Ninety-eight having voted in the affirmative and four having voted in the negative, the tabling motion did prevail.

Passed to Be Engrossed

Bill "An Act Creating a Committee to Study Establishment of a Residential Treatment Center for Emotionally Disturbed Children" (S. P. 227) (L. D. 971)

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

Bill "An Act to Prohibit the Selling of Motor Vehicles on Sunday" (S. P. 381) (L. D. 1107)

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

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

Mr. MAXWELL: Mr. Speaker, on item three, this bill disturbs me very much. I was contacted last night by all of the automobile dealers in my area. I would like to

table this bill for one week from today for further consideration.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Jay, Mr. Maxwell, that this Bill be tabled pending passage to be engrossed and be specially assigned for one week from today. Is this the pleasure of the House?

(Cries of "No")

The SPEAKER pro tem: Will those who favor the tabling motion please say aye; those opposed, no.

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

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

Bill "An Act Permitting Importation of Fireworks for Protection of Agricultural Crops" (S. P. 470) (L. D. 1332)

Bill "An Act relating to Contributions under Maine Employment Security Law" (H. P. 500) (L. D. 713)

Bill "An Act Increasing Number of Medical Examiners in Lincoln County" (H. P. 823) (L. D. 1161)

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

Third Reader Amended

Resolve Appropriating Moneys to Aid Construction of Dormitory at Higgins Classical Institute (H. P. 853) (L. D. 1221)

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

The SPEAKER pro tem: The Chair recognizes the gentleman from Ellsworth, Mr. Brown.

Mr. BROWN: On item seven, I offer House Amendment "A" and move its adoption. This amendment corrects a printing error in the bill. The amount should be \$25,000 instead of \$40,000 and this amendment corrects it.

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

HOUSE AMENDMENT "A" to H. P. 853, L. D. 1221, Resolve, Appropriating Moneys to Aid Construction of Dormitory at Higgins Classical Institute.

Amend said Resolve, in the 2nd line, by striking out the figure "\$40,000" and inserting in place thereof the figure "\$25,000"

House Amendment "A" was adopted, the Resolve passed to be engrossed as amended and sent to the Senate.

Amended Bills

Bill "An Act relating to Certain Acts Constituting Lotteries" (H. P. 813) (L. D. 1151)

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.

Tabled and Assigned

Bill "An Act relating to Effective Date for Salary Increase for County Officers and Judges and Records of Municipal Courts" (H. P. 869) (L. D. 1237)

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

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

Mr. KNIGHT: Mr. Speaker, I now offer House Amendment "A", which is on your desks under filing number 327, and move its adoption.

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

HOUSE AMENDMENT "A" to H. P. 869, L. D. 1237, Bill, "An Act Relating to Effective Date for Salary Increase for County Officers and Judges and Records of Municipal Courts."

Amend said Bill by adding before the period at the end the following: 'except that such increases authorized by the 99th Legislature with respect to Knox County shall be retroactive to January 1, 1959'

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

Mr. JALBERT: Mr. Speaker, I take it that the amendment has passed?

The SPEAKER pro tem: The Chair would advise the gentleman that the amendment has not been adopted. The Chair would further advise the gentleman that it is filing number 327.

The Chair now recognizes the gentleman from Greene, Mr. Hodgkins.

Mr. HODGKINS: Mr. Speaker, this bill was taken up in committee along with the wage and salary bill with a lot of effective dates on them. In order to bring out, I think it would suit everybody, we had to amend the original bill. Now this amendment is going to set a precedent to which others will amend. I therefore move the indefinite postponement of this amendment.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Greene, Mr. Hodgkins, that House Amendment "A" be indefinitely postponed.

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

Mr. KNIGHT: Mr. Speaker, our county officials submitted various raises that they desired. They met with our county commissioners. The raises were pared down considerably, some eliminated. The delegation from Knox County unanimously agreed with these final pay raises for our county officials with the county commissioners, and part of the agreement was that they would be retroactive to January first. This is a county matter in my mind, the county commissioners, the county delegations, agreed unanimously that this should be done and for this reason I urge you to vote against the motion to indefinitely postpone this amendment.

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

Mr. CURTIS: Mr. Speaker, I rise to support the indefinite postponement of this. I think it is so unfair. Every year we have the same old story coming in here, they keep asking for a raise, and then they rather club together and get it, and of course it has to be paid for by the people of the county. And then they are not satisfied with the raise, they stick these amendments on and make it retroactive. They are doing it over and over and I think it is very unfair, and when you start this one you will find your desks all cluttered up with all the rest of them, which I think is very unfair to the people of the several counties.

Now I am sure these people who run for these offices are not asked

to run, they run because they want the job. And then if they get in they want more pay. If they want more pay and don't want to do the job for what they are doing it for, why don't they quit and let someone take it that will do it? This thing is getting all out of hand. The county taxes are going up, and up, and up all the time, and when are they ever going to quit? I think it is time we quit now and I hope this will be indefinitely postponed, and all the rest of them too.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: As you know as has already been stated there are several of these amendments on your desks but I think the original intent of the bills when they were introduced by the several counties, those that did include a retroactive date on them which was a few in my county, the rest of them were not. I hated to submit this one myself due to the fact that I know it is not the agreement of my county. We did agree, however, as far as to my knowledge that we would submit the county budget which is given approval by the county delegation by the commissioners, but it was understood as I believe that these would become effective ninety days after we adjourned. Now the original bill came out from the Committee not making these payments due until January 1960. Yesterday there was another amendment came out whereby that these increases would not be effective until October of 1959 which is far in excess of the ninety days after we adjourn. I will agree with the gentleman from Bowdoinham, Mr. Curtis, to a certain degree that we should not force these things and make increased costs upon the ones that have already been submitted and what the County Commissioners have estimated their budget to stand for because it would throw them out of balance, but I do believe that we should go back into this amendment which was offered and correct it and have one amendment to cover the entire state and counties whereby it should become effective ninety days after we adjourn. So I

hope the House will keep that in mind and give it consideration because if not you are going to have an amendment from each and every county in the State, and I think that should be given thought, and if it be the pleasure of this House to give the county delegation an opportunity to meet with each other and thrash and hash this out rather than debate on the Floor, and come to some conclusions, I would give this thought to the House to see if they would be willing to accept the motion to table this thing and specially assign it for tomorrow to give an opportunity today for them to meet and thrash it out.

The SPEAKER pro tem: Does the Chair understand the gentleman from Bridgton is making a motion to table?

Mr. HAUGHN: I do, Mr. Speaker, and specially assign it for tomorrow to give the county delegation an opportunity to meet and thrash their problems out in individual counties.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that Bill "An Act relating to Effective Date for Salary Increase for County Officers and Judges and Records of Municipal Courts" now lie on the table specially assigned for tomorrow pending adoption of House Amendment "A". Is this the pleasure of the House? Will those who favor the motion to table please say aye; those opposed, no.

A viva voce vote being taken, the motion to table did prevail.

Passed to Be Enacted Emergency Measure

An Act relating to St. Mary's Hospital of Lewiston (S. P. 478) (L. D. 1349)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 113 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Inheritance Tax Exemptions for Husband or Wife and Inheritance Tax on Class C (S. P. 29) (L. D. 9)

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

An Act relating to Artificial Aids for Employees for Injuries under Workmen's Compensation Law (S. P. 477) (L. D. 1348)

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

An Act Revising the Laws Relating to the Registration of Vital Statistics (H. P. 297) (L. D. 444)

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

Enactor**Tabled and Assigned**

An Act to Tax Equipment Brought into the State after April First (H. P. 675) (L. D. 967)

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

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

Mr. STORM: Mr. Speaker, with regard to this bill, I believe that it is a very bad bill, it would be a bad law if it became a law. There has been a question raised as to the constitutionality of it. Apparently that question has been cleared. The fact remains that although it may be in accord with the constitution, if passed it would be unworkable. I was prepared to move for the indefinite postponement of it, but inasmuch as the sponsor of the bill is absent today I would now move that this bill be placed on the table and specially assigned for Tuesday next.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Sherman, Mr. Storm, that item number seven lie on the table and be specially assigned for Tuesday next. Is this the pleasure of the House?

Thereupon, the Bill was tabled pending passage to be enacted and

specially assigned for Tuesday, May 12.

Enactor**Tabled and Assigned**

An Act Exempting Certain Motor Vehicle Fuel from the Sales Tax (H. P. 799) (L. D. 1131)

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

(On motion of Miss Cormier of Rumford, tabled pending passage to be enacted and specially assigned for tomorrow.)

An Act Establishing Disability Due to Radioactive Properties as an Occupational Disease (H. P. 833) (L. D. 1184)

An Act relating to Cancellation of Automobile Physical Damage Insurance (H. P. 930) (L. D. 1316)

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

An Act Increasing Compensation of Aldermen and Members of Various Boards of City of Lewiston (H. P. 935) (L. D. 1321)

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

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

Mr. DUMAIS: Mr. Speaker and Members of the House: On item eleven, I would like to suspend the rules and reconsider our action where we passed that on April 23rd for the purpose of offering an amendment.

The SPEAKER pro tem: The Chair understands that the motion of the gentleman from Lewiston, Mr. Dumais, is that the rules be suspended. Is this the pleasure of the House?

For what purpose does the gentleman arise?

Mr. COTE of Lewiston: Mr. Speaker, to object to the motion to reconsider.

The SPEAKER pro tem: The Chair must remind the gentleman that the motion to suspend the rules is not debatable.

Do you object to the suspension?

Mr. COTE: No I don't, I object to the reconsideration of the amendment.

The SPEAKER pro tem: You do not object to suspension of the rules.

The motion to suspend the rules having prevailed, the question now before the House is the motion of the gentleman from Lewiston, Mr. Dumais, that the House reconsider its action whereby the Bill was passed to be engrossed on April 23rd. Is this the pleasure of the House?

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

Mr. COTE: Mr. Speaker, I object to that motion and hope that the motion does not prevail. This bill was introduced as a bill of fair play. Before the session started, or when the session started, a bill was introduced to raise the Mayor's salary from \$2,500 to \$5,000. The Committee amended that to \$3,500 and it went through signed by the Governor. There was another bill introduced to raise the wages of the Aldermen from \$500 to \$700. There was no objection among the delegation.

Now we have had our Charter in the City of Lewiston since 1939 as you have all heard. The members of our various boards serving for five years have never had a raise since they have been serving on those boards, they have never had a raise since 1939 when they were established. I felt that in the interest of fair play that the Aldermen having a raise and the Mayor having a raise, every office holder in the City of Lewiston or a job holder and every employee has had a raise, and I think that these members of these various boards that work hard and diligently for the City of Lewiston should at least deserve the small raise of \$100 that this proposes. So I hope that the motion for reconsideration for the introduction of an amendment that would take these raises off does not prevail.

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

Mr. DUMAIS: Mr. Speaker and Members of the House: My reason for reconsideration here is that this bill is to raise the salary of our

commissioners. Our commissioners don't have to go to the electorate to be elected, they are given this thing on a platter for five years. I have called ten commissioners yesterday afternoon and last evening and not a single one of them is unsatisfied with the little pot that he has got right now. I am in favor of raising the Mayor's salary in the City of Lewiston. I am in favor of raising the Aldermen's salary in the City of Lewiston. They have a fight to go through, and the people like fights in Lewiston and they like to go and vote. Therefore, when you had a commissioner appointed to a zoning board who has a meeting once every month or every three months possibly, and you go and raise them \$100, this increase here will take \$5,000 of very much needed money that we need in the City of Lewiston, and we have a little better than fifty-five commissioners now that will benefit by this act, and although it may not grow to be a popular measure with me, but one commissioner told me over the telephone yesterday that the only reason that this increase of \$100 per commissioner was made not on an asking basis but on a purely voluntary basis of a member of the Legislature.

Therefore, this is why I want to reconsider this to amend the bill that the Aldermen will have a pay increase but not the commissioners. The commissioners have absolutely nothing to do in regard to getting a job. They get it on a platter as I said before. Therefore, I have never had a commissioner in my eight years in politics in Lewiston approach me to give him a salary increase. Therefore, I hope that my motion prevails.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I shudder getting up again to try to clean up our linen, which should be cleaned up in Lewiston, on the Floor of the House in Augusta. The only reason I am rising is because when we are going to speak about measures, I feel we should stick to the facts. When we talk about boards meeting every month or sometimes every three months, that is absolutely and

positively untrue. There are many boards who are getting \$5.00 per meeting who meet more times than even the Aldermen who are getting \$15.00 a meeting. The Finance Board for instance will sometimes meet at least one hundred times in one year. They get paid for forty meetings, \$5.00 per meeting. All you have to do is pick up any Lewiston paper of any given Monday morning or Monday afternoon, in the evening paper and you will see that invariably four, five or six boards are meeting, and the only reason I do rise is because the statement made that a board would meet every month or every three months is not true, and I hope that the motion of my good friend from Lewiston, Mr. Cote, definitely prevails along with the unanimous Report of the Legal Affairs Committee on this bill, and I do hope this is the last time we have to get up here and thrash out these silly pieces of legislation and amendments on the Floor of this House.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is the motion of the gentleman from Lewiston, Mr. Dumais, that the House reconsider its action whereby item 11, "An Act Increasing Compensation of Aldermen and Members of Various Boards of City of Lewiston," House Paper 935, Legislative Document 1321, was passed to be engrossed on April 23.

On motion of Mr. Dumais of Lewiston, a division of the House was had.

Seventeen having voted in the affirmative and seventy-four having voted in the negative, the motion to reconsider did not prevail.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act relating to Exemption from Taxation of Veterans Estates (H. P. 943) (L. D. 1335)

An Act relating to Licenses for Pari Mutuel Harness Horse Racing (H. P. 948) (L. D. 1344)

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

Enactor Tabled and Assigned

An Act to Clarify the Excise Tax on Aircraft, House Trailers and Motor Vehicles (H. P. 949) (L. D. 1345)

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

(On motion of Mr. Cousins of Bangor, tabled pending passage to be enacted and specially assigned for Monday, May 11.)

An Act Providing for Vocational Rehabilitation of Handicapped Individuals (H. P. 951) (L. D. 1347)

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

At this point, Speaker Edgar returned to the rostrum.

SPEAKER EDGAR: The Chair would thank the gentleman from South Portland, Mr. Linnell, for an excellent job as Speaker pro tem.

Thereupon, the Sergeant-at-Arms escorted the gentleman from South Portland, Mr. Linnell, to his seat on the Floor, amid the applause of the House, and Speaker Edgar resumed the Chair.

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 Committees on Legal Affairs and Veterans and Military Affairs jointly, on Bill "An Act to Authorize Issuance of Bonds in the Amount of Twenty-Two Million Dollars for Bonus to Maine Veterans of World War II and the Korean Campaign and Providing Revenue Therefor," House Paper 851, Legislative Document 1214, tabled on April 30 by the gentleman from Lewiston, Mr. Dumais, pending the motion of the gentleman from Carthage, Mr. Hutchinson, to accept the Majority Report.

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

Mr. DUMAIS: Mr. Speaker and Members of the House: I fully real-

ize that meeting with such a large committee that it was very hard to get a unanimous report of "Ought to pass," but I will say that as a veteran and as a man that has been associated with veterans since I have come out of World War II, it has been my thought, and it still is, that this state should consider some time or another to come out and pay the veterans of World War II a bonus. Twenty-six states in the United States have paid and I regret very much that the State of Maine, my own state, has not paid.

Therefore, I don't have to delve into the activities of the veterans and the endurance that he has had in the years that we were gone away in regards to getting a bonus. I believe that this House has pretty well made up its mind by now, and I will leave the Floor to somebody else to discuss this matter. Thank you.

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

Mr. HENDSBEE: Mr. Speaker, Ladies and Gentlemen of the House: This is a long drawn out procedure. I pay my highest respects to the gentleman who preceded me for the work that he has done on behalf of the veterans. I speak now as a veteran of the South Pacific to probably bring to your attention, which you probably already know, why we feel that there should be something done for the veterans of World War II and the Korean veterans. As you no doubt know or assume from my age it was not necessary for me to go into the service, but I did. I was forty-one when I went in and I was forty-six when I came out. That was purely from my own initiative, but I was with many, many thousands of young men, many from the State of Maine, who were there for no reason other than they had to be there. They were draftees and boys who went there and you can visualize what that was for a young man coming from a state such as we live in here going out there on what they used to call those Pacific rocks with all the things that we had to endure, the sickness and everything else that went with it and probably fighting one of the most vicious enemies that ever could be found anywhere in the world.

Now, each and every member, in my opinion, who spent any length of time there came home with a brand on them which they will never take off. When you figure all the diseases which we knew as jungle rot, malaria and all those other things that will stay with you as long as you live, and I was one who happened, unfortunately, to fall in that group and suffered for many years.

Now, I have no axe to grind with this Legislature or anyone else, because I did not come from the State of Maine when I was a veteran, I came from the other state to which I probably would not dare return and I received my bonus as a veteran. So, therefore, I am not speaking on my own behalf, and I feel that probably this bill is not the answer, but I feel that sooner or later, the State of Maine should wake up to the fact that the veterans are not going to be satisfied with a twenty-five cent fishing license. That was not quite enough. I also pay humble tribute to the 486 boys that I lived with and was with daily that we left behind laying on those jungle rocks out there. Now, that alone was punishment enough to go out there without having to stay there permanently or possibly some of them have been removed, but those, gentlemen and ladies of the House, I will tell you were in my humble opinion probably some of the finest people that have ever walked this earth of ours and they were left there. We are not asking anything for them, but we are asking for those who came back fortunately, and we are very happy and thankful for that privilege, and during the two months short of five years that I spent, I figure that I was probably a little longer than most of them, but I figure that something should be done here for the veterans of the State of Maine because as you have heard, twenty-six other states have come out and given the veterans a bonus while we in Maine have not, and I will refer you, not being too repetitious, but to the words of the famous statesman, Sir Winston Churchill, when he said that there never was a time when so many did so much; but we will change it here, for so little. I thank you.

The SPEAKER: The Chair recognizes the gentleman from Sangerville, Mr. Edgerly.

Mr. EDGERLY: Mr. Speaker and Ladies and Gentlemen of the House: I move we go along with the Committee Report "Ought not to pass", the Majority of House Paper 851, Legislative Document 1214.

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

Mr. DUMAIS: Mr. Speaker, Ladies and Gentlemen of the House: I have heard so many people comment on this thing and I have heard so many pros and cons, I want to state to the members of this House here just how I have acted since the times that I have presented this bonus. I tried it by initiative referendum only to wind up with 42,000 names in June instead of the time that I should have had them. The fact that your young people are leaving this State here primarily to go elsewhere are brought on by a lot of things, and namely when you go out of this State, as I travelled to California, and in every state that I stopped whether I spoke and when I spent five days with the Governor of Texas, Price Daniels, the Honorable Price Daniels, he asked me how much had they paid our veterans, and I told him "peanuts," not quite peanuts yet because we hadn't got the peanuts. When I spoke with Goodwin Knight in Sacramento last year and he saw that I had a button of the American Veterans of World War II, he asked me, "Well how has Maine been to its veterans?" and I says "Well, like most every other state." He says: "How much bonus have you had in the State of Maine? How much have they given their veterans?" and I gave him the same answer that I gave his Excellency, Price Daniels, that we had got nothing so far. And it very much looks now like the provisions that although they do sound a little bit radical that I have on this bill that this Legislature or the other branch will certainly vote this bill down, but I want to let you people know that I have in my little black book home notes that I have copied that one day I was sitting in St. Viet, and in case you don't know where St.

Viet is, it is where we spent the holiday of 1944, right near Bastogne, about twenty-seven miles, and I got a letter finally after quite a few days from a gentleman from the City of Lewiston, who had taken over my business while I was gone, and he said: "Dear Arthur, we have just closed up our books the first of November and we are going on to Florida as we managed to get enough gasoline coupons here and there, and hope that you are well. Mac and I have cleaned up twenty-five G's apiece and we thought we would take it easy for the winter." Imagine me, I was laying beside the Tiger tank enjoying myself as much as I could. Therefore, I came back here, we came to Augusta, we asked for a bonus, and they said you would have to have a sales tax to have a bonus. The veterans couldn't see a sales tax, then somebody suggested the cigarette tax, but they urged the veterans to vote against the cigarette tax because you will pay your own tax, and all kinds of taxes were suggested, and the veterans naturally being like myself, we have been led by good people like one of the generals that we have here, and we were told to do this and we were told to do that, and we done it, and when they told us to vote against these taxes, we did, only to wind up that all the taxes we had voted against finally became laws but there was no bonus forthcoming.

The 96th session I believe I put this bonus bill in the first time. I was caught in the hall here one day, a very prominent man, or he was at that time, right now he is not so prominent, he was a very good friend of the Governor, he said to me: "Arthur, if you will get the seventeen democrats in there to go with us for a two and a half sales tax, I am a very close friend of the Governor, like this," he said, "and I'll see to it that you get your bonus." Well I'm glad I didn't go, because he wound up in jail. And probably I would too if I had got the bonus at that time. So therefore, it seems to be the opinion that we the veterans do not deserve a bonus from the State of Maine as well as the ones for World War II, and it seems that until the veterans

themselves decide to put a little blame on their shoulders and come forward and at least help themselves, at that time they may obtain a bonus, but until they act like the top sergeant in different towns telling them what to do, I guess we will abide by the Report. Thank you.

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

Mr. JACQUES: Mr. Speaker and Members of the House: I would like to go on record as favoring L. D. 1214.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: Listening to some of this talk about bonus makes you almost ashamed of the State of Maine, but I for one am proud of the State of Maine. I am proud of our veterans. I know that all we are and all we hope to be was because that they went out and did their duty, and I don't think that any bonus at this time would repay them and I don't think a great majority of them want it.

The first time I ever ran for anything in the Legislature I polled Sagadahoc County, and how I would vote in regard to it, and I sent a card to every veteran and about fifty percent of them answered and seventy percent of those that did answer said no, they did not want any bonus.

Now my son was an enlistee in World War II. He is my only son. He didn't have to go, and I asked him why he was bound to enlist, and he said "They think because my old man is a farmer, I don't have to go, and I want to do my duty." He came home with a one hundred percent disability and one hundred percent pension or compensation. He didn't want it, so he kept coming up to Togus about every six weeks and he got it down to ten percent, and I told him to leave it there because sooner or later he was going to need the whole of it again, and he doesn't want any bonus.

Now I want to say to you that the State of Maine is doing a lot for the veterans and I am proud of it. No longer ago than yesterday I

went over to Veterans Affairs to make intercession for a man who is a veteran and who is ill and unable to work, and his illness is not caused by anything contracted in the service, but today or tomorrow there will be a man over there to see him and I was assured that he would get all he was offered, \$66.00 a month even though this is not service connected.

I think that we are doing a lot for our veterans. I wish that back when we probably should have paid it that we had of paid it, but I think at this time, I don't think anybody, even my good friend from Lewiston expects it to be done, and I don't think the veterans themselves were they to vote on it today, would say that it should be done.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Carthage, Mr. Hutchinson, that the House accept the Majority "Ought not to pass" Report on Bill "An Act to Authorize Issuance of Bonds in the Amount of Twenty-Two Million Dollars for Bonus to Maine Veterans of World War II and Korea Campaign and Providing Revenue Therefor", House Paper 851, Legislative Document 1214.

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

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

Ninety-five having voted in the affirmative and thirty-one having voted in the negative, the Majority Report was accepted and sent up for concurrence.

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House, of a group of twenty seventh and eighth grade pupils from the Friendship Village School, accompanied by their principal Mr. Arthur Frieder, and three of their parents. On behalf of the House, the Chair extends to you ladies and gentlemen a most hearty and cordial welcome and we hope that you will enjoy and profit by your visit here today. (Applause)

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 Appropriations and Financial Affairs on Bill "An Act relating to the Working Capital of State Liquor Commission," House Paper 382, Legislative Document 565, tabled on May 4 by the gentleman from Raymond, Mr. Edwards, pending acceptance of either report.

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

Mr. BRAGDON: Mr. Speaker, I move the acceptance of the majority "Ought not to pass" report.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, moves the acceptance of the majority "Ought not to pass" report.

The Chair recognizes the gentleman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker and Ladies and Gentlemen of the House: I think perhaps we should have a little explanation of what this is all about. Section thirteen of the liquor laws states that a working capital of \$3,000,000 should be in existence at all times, and when it is deemed necessary that temporary loans can be made, with the approval of the Commissioner of Finance and Administration and also the Governor and Council. Now this section thirteen was established in 1945 and there has been no change in that working capital since then. However, the cost of liquor, both in merchandising and the federal taxes has increased several times, and those of us who are in business know also that the freight costs have increased terrifically. Also, since 1945 seventeen new stores have been established, consequently making the inventory even larger. For example, in 1945 the inventory contained 7,000,000 bottles, but in 1958 that inventory had gone up to 8,496,000 bottles. While it has been necessary for the Liquor Commission to come to the Governor and Council two or three times during the year to ask for a half million or a million dollars to take care of this existing problem. For example, in January, February and March, also in parts of September and October, they are able to live within that \$3,000,000 if they keep a very

tight budget. However, before the holiday season and the other eight months of the year, they cannot live within that \$3,000,000 and they must come to the Governor and Council and request — and these requests are always granted.

Now, this bill would eliminate their coming here and would raise their inventory so that they could take into account all of these times they are able to buy at a better price, due to the season they may buy in anticipation of increased cost, and this bill would permit them to increase their working capital so that they would not have to come repeatedly two and three times each year to the Governor and Council and ask this.

Now, conditions definitely have changed since 1945. If this legislature goes along with the ten new stores, that will mean twenty-seven new stores since 1945, and those of us who are in business know that we must have a working capital that must keep with the times so that we may meet a great many of these anticipated costs in the rise and fall in the market. Therefore, I would hope that you would oppose the "Ought not to pass" motion on this bill.

The SPEAKER: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker and Members of the House: It seems to me that the Liquor Commission ought to be able to manage on \$3,000,000 a year, and if they are not, I feel that perhaps they could curtail their business. I don't think it would do any harm to the State of Maine.

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

Mr. STANLEY: Mr. Speaker and Ladies and Gentlemen: In 1942 the gentlewoman from Rumford, Miss Cormier, is correct, that we had a \$3,000,000 top on the amount of liquor which we could have in our warehouses and in our stores. I would point out that at that time the sale of liquor was somewhere around \$22,000,000 per year, and not again until 1958 did we sell \$22,000,000 worth of liquor. So, even with the price of liquor going up, apparently

the sale of liquor has dropped off because the prices now are higher and we are selling \$23,000,000 worth. In 1942 with a less price we were selling \$22,000,000 so the number of bottles that we sold in 1958 I would assume was less than it was in 1942, and probably that accounts for why we have so many more in the warehouse at the present time, which I think is a poor way of operating a business.

We do — the Commission, has a \$3,000,000 working fund. They can go to the Governor and Council when they need extra money, even though it says in the law that we shall not have more than \$3,000,000 worth of liquor on hand at any one time. Down a little farther in the law it does say they can go to the Governor and Council and draw funds, which they have done for several years, about \$500,000 worth each year, which has brought our working capital up to \$3,500,000. I would also point out that just a few years ago we built a new warehouse and the money which was used to build the warehouse was taken out of the working capital, so that for a few years at least, I forget how many, the Commission operated on \$2,500,000. Two years ago we returned the half million dollars to them which brought them up to \$3,000,000, and now they are asking for another half a million dollars which would mean actually an increase of \$1,000,000 in a period of four years. I think their request is ridiculous, and I would go along with the motion of the gentleman from Perham, Mr. Bragdon, that you accept the Majority "Ought not to pass" Report.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Perham, Mr. Bragdon, that the House accept the Majority "Ought not to pass" Report on Bill "An Act relating to the Working Capital of State Liquor Commission," House Paper 382, Legislative Document 565.

Will those who favor the acceptance of the "Ought not to pass" Report please say aye; those opposed, no.

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

Seventy-six having voted in the affirmative and forty-seven having voted in the negative, the "Ought not to pass" Report was accepted and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the third tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Labor on Bill, "An Act relating to Dependency Allowances under Employment Security Law," House Paper 9, Legislative Document 18, tabled on May 4 by the gentleman from Madawaska, Mr. Rowe, pending the motion of the gentleman from Orono, Mr. Treworgy, to accept the Majority Report.

The Chair recognizes the gentleman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker and Ladies and Gentlemen of the House: I would move the acceptance—is there a motion before the House?

The SPEAKER: There is a motion before the House on the acceptance of the majority "Ought not to pass" report.

Miss CORMIER: I would oppose the motion to accept the "Ought not to pass" report. In debating this bill the other day, there was one error that I think should be corrected. The figures used on the cost that was brought out were based upon 1958 and '57 which was during our depression and consequently would not be true to the picture.

The eleven states which have the dependency law, and I would quote from the United States Department of Labor, "in eleven states additional payments were made to the beneficiaries with dependents. In each of the last two years about two-fifths of all the beneficiaries in these states were entitled to dependents allowance. For the ten states for which comparable data are available, with Michigan excluded, the basic weekly benefit of the average total unemployment beneficiary receiving dependents benefits was augmented by the allowance of \$5.27." Now this is the important statement and I quote: "this represents an increase of 17.4 per cent over his basic benefit of

\$30.36. Aggregate expenditures for dependents allowance represented a 4.8 per cent increase." Just 4.8 per cent increase of all payments in these ten states. In other words, it would not cost as much as was quoted here last week. Many of the states are falling in line on this dependency and there is no reason why the State of Maine should not follow suit, and I hope that the motion does not prevail. When the motion is taken I would request a roll call.

The SPEAKER: The gentlewoman requests a roll call. The question before the House is the motion of the gentleman from Orono, Mr. Treworgy, that the House accept the majority "Ought not to pass" report. Is the House ready for the question?

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

Mr. WINCHENPAW: Mr. Speaker, I just rise for a parliamentary question. Is there any way of arguing against a roll call?

The SPEAKER: For the Chair to order a roll call, the Chair must have the expression of a desire for a roll call by one fifth of all the members elected to the House. The Chair cannot allow debate on the call for a roll call.

Mr. WINCHENPAW: Well, I can debate the bill slightly.

The SPEAKER: The gentleman may debate the bill slightly or at great length.

Mr. WINCHENPAW: Well, I would just say that the Labor Committee went over this bill very carefully and it was a majority "Ought not to pass" report, and one thing we felt, we are all in sympathy with labor. You know that. We are going to do a great deal for labor before we go home. This bill would pay for the first three children. I think that this bill should be defeated and next year somebody should come in with a bill that would exempt the first three children and maybe start with the fourth child and go on to the twelfth one. That would be the family that would need the help, and that was part of the thinking of the committee so I hope that the motion to accept the majority "Ought not to pass" report prevails.

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

Mr. TREWORGY: Mr. Speaker, just to briefly refresh your memory as to the contents of this bill and the cost involved, the figures that we have before us as members of the Labor Committee were based on benefits paid in 1958 and are very conservatively estimated at 1.4 million dollars.

Very briefly this bill states that each individual who is eligible to receive benefits for unemployment in respect to any week would be allowed to receive a dependency allowance of \$4.00 for each of the individual's children or stepchildren up to and including four in number, up through the age of sixteen. This would apply to both husband or wife, depending on which doesn't happen to be drawing unemployment at the time, but not both. I, therefore, hope the motion to accept the majority "Ought not to pass" report prevails.

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

Mr. GOOD: Mr. Speaker, when the Employment Security Law was first devised, it was not devised as a welfare fund. The objective of it was to keep the employees in the area when they were temporarily out of work. Of course, this was of benefit to both the employer and the employee. Now, to state my position before I go further, I would like to say that I am in favor of the motion that is now before the House.

This fund in 1957 amounted to \$45,552,048.01. As of April 1st of this year the fund amounted to \$32,094,528. This is a decrease in the fund of \$13,000,000. Now, during the last eight months from July 1, 1958 to April 1, 1959 and these are recent figures, I got these figures yesterday, there was contributed to the fund by industry \$5,560,297. However, in spite of this contribution the fund decreased over \$5,000,000 more, so at the present rate that we are going, without adding an additional cost of \$1,400,000 out of the fund, the fund is being gradually depleted, and if the fund is going the way it is now, as of December 31, 1959, this year, there will be an acceleration put into effect, even if

this is not passed, which will increase the tax on the employer. When the fund drops to \$20,000,000 all employers will be taxed at the rate of 2.7, and to decrease any further drain on this fund, even the 2.7 will not be able to keep up with the expenditures. Then we have to borrow from the Federal government and then I don't know what happens. Therefore, I concur with the motion that is now before the House.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker and Ladies and Gentlemen of the House: I think that if we are going to speak about the fund we should get the entire picture on that fund. First of all, the depletion to the tune of some \$13,000,000 once again has occurred during a period of depression and should not be used as a true measure of the depletion from year to year. Also there is this, which we must remember. Since 1943 \$60,000,000 have been saved for the fund because of the merit raises. Therefore, I think we should get the whole picture on this fund.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Guilford, Mr. Dodge.

Mr. DODGE: Mr. Speaker and Members of the House: If we go along with the type of thinking this bill has, it will not be long before we have bills come up that a man shall be paid not only so much an hour, but so much for each child.

The SPEAKER: Is the House ready for the question?

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

Mr. CARON: Mr. Speaker, Ladies and Gentlemen of the House: I kind of agree with the gentleman from Sebago, Mr. Good, that this is not a welfare fund, it is an insurance fund. However, basically as an insurance fund it was to insure the man that was laid off to have enough to support his family, at least buy them groceries. If a man is alone with his wife, he certainly does not need as much money as if he had three or four children.

It amazes me that any time that labor is concerned, we always start worrying about the extra dollar. It

seems to me that we spend a lot of money everywhere, nationally, overseas, I think we should spend a little money and take care of our own in the State of Maine, and I am not in favor of accepting the "Ought not to pass" report.

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

Mr. KELLAM: Mr. Speaker and Members of the House: I dislike the injecting into these bills the attitude that it is a welfare bill. These payments to the unemployed are based on the wages that they have received while they were employed, and they are, in effect, a part of the cost of employing the working man. It is a part of the cost which the business must take into account, and when it is paid into this fund, it is available just for this particular emergency and would not be in the fund except through the labors of these people.

I think it should be obvious to everyone that if a man does become unemployed that he should have for a certain period, at least, a certain standard of living which will enable him to carry on the functions of the home as a decent individual until he becomes employed again. And certainly everyone must realize that the burden is more heavily on the individual who has several children. This individual has a great deal more difficulty in saving any money while he is working than the person who has no dependents. Therefore, he is likely to be in a poor position to weather the storm during his period of unemployment, and most every state, I believe, or at least a number of states, recognize this particular situation and do pay a greater amount to the person who is unemployed. I think we should think about the children of these people a little bit more, and a little bit less about some other matters and allow these people enough money to sustain their family.

The SPEAKER: Is the House ready for the question?

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

Mr. TREWORGY: Mr. Speaker, I think I should point out that this bill would apply to those individuals who are partially or fully unem-

ployed. We have been debating this bill this morning as if it applied only to those fully unemployed. It would apply to those also partially unemployed and it does not take into account the earnings of any of the dependents either.

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

Mr. COUTURE: Mr. Speaker and Members of the House: I have heard the remark of the gentleman, my good friend from Friendship, Mr. Winchenpaw, specifying that we are to do a lot for the labor before this session adjourns. Up to now I have seen a lot of attempt to try to do a little for the labor, and up to now nothing has been accomplished, and there is not much more as far as bills left to do anything for labor, unless other bills are introduced with unanimous consent of this House.

I have heard other remarks made that the fund has decreased in amount of \$5,000,000, below the revenue of the unemployment cost by people unemployed in the state. I have not heard any remarks specifying that during the last session of the legislature that there has been a bill introduced and passed to allow the employer of paying lower amounts to the unemployment fund which caused to lower the \$5,000,000 under the revenue of over a million and a half dollars caused by the bill introduced at the last session that passed.

I also have heard remarks about welfare that we are going to create by passing such a bill. My understanding, under the unemployment laws today is to take care of these people that become unemployed until they can reach other employment to support their families. I have been in agreement that our people married and raise a family are the ones that really need this revenue while unemployed more than a single person is entitled to the equal amount of a married person with a family. This bill will only help those with families and that was the purpose that I introduced this piece of legislation for the past three sessions.

All of you are aware of the employment in each part of the state

that you are here to represent. All of you are aware of how many of your people that have filed in the last year for unemployment. To me it seems that we have faced in this state more than biggest depression that we have faced in the history of the State of Maine, even worse than the last one that we thought was terrible, but this one is even worse. Why that it did not show as bad as by past legislation to take care of people at sixty-five to receive their social security pension, although according to a bill that was passed by the federal government under this unemployment, it did not look like that, but the people in this state have faced it. There is left now as the gentleman from Sebago, Mr. Good, mentioned \$32,094,000 in this fund. This could have been taken care of during this great depression that we are still in, I would say, but employment is increasing a little bit as we go along, but I am hoping that it is quite a lot more because we have a good many thousand people left unemployed, the report shows some 32,000 people unemployed in the State of Maine. So, I think that many thousands are not covered under the unemployment. This type of legislation could have been taken care of even though the fund today will not be any lower than the \$30,000,000 according to the cost estimated if this was the law in this state.

I still believe in taking care of our people with families. You can go to the north and across the line and you will see Canada with pensions for their children, they go on and receive this with no disqualifications or any other type of legislation but payments. You can go to the other end of the line in the State of Maine and then you will find states that are covered under the same type of legislation. If it is good for other states why shouldn't it be good for our State of Maine? Do we believe in taking care of our people in the State of Maine as equals as any other state would take care of their own? Why I believe so, that we should and I certainly hope that the motion now before us will not prevail.

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

Mr. DESMARAIS: Mr. Speaker, I move for the previous question.

The SPEAKER: The previous question has been moved. For the Chair to entertain a motion for the previous question, the Chair must have the authority of at least one-third of the members of the House.

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

The SPEAKER: Obviously more than one-third having arisen, the Chair is authorized to entertain the motion for the previous question.

The question before the House is, shall the main question be put now? This question is debatable with a time limit of five minutes on any member who wishes to speak.

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

Mr. ROWE: Mr. Speaker and Members of the House: I had some very important information that I wanted to put in the record and I object to having the main question put now.

The SPEAKER: The question before the House is, shall the main question be put now? Is it the pleasure of the House that the main question be put now?

Will all those in favor of putting the main question now say aye; those opposed, no.

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

Seventy-seven having voted in the affirmative and forty-three having voted in the negative, the main question was ordered.

The SPEAKER: The main question is the motion of the gentleman from Orono, Mr. Treworgy, that the House accept the Majority "Ought not to pass" Report on Bill "An Act relating to Dependency Allowances under Employment Security Law." A roll call has been requested.

For the Chair to order a roll call, the Chair must have the expression of a desire for a roll call from at least one-fifth of the members of the House.

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

A sufficient number arose.

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

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

Mr. TURNER: Mr. Speaker, would you inform me how that report came out of Committee.

The SPEAKER: The Chair would advise the gentleman that the Majority "Ought not to pass" Report was signed by seven members of the Committee and the Minority "Ought to pass" Report by three.

The question before the House is the motion of the gentleman from Orono, Mr. Treworgy, that the House accept the Majority "Ought not to pass" Report on Bill "An Act relating to Dependency Allowances under Employment Security Law," House Paper 9, Legislative Document 18.

If you favor acceptance of the "Ought not to pass" Report you will say "yes" when your name is called. If you oppose the acceptance of the "Ought not to pass" Report you will say "no".

The Clerk will call the roll.

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

Mr. TREWORGY: Mr. Speaker, there is an error in the printing at the top of Page 7. It says "Allowances under Social Security Law." This is incorrect and should read, "Dependency Allowances under Employment Security Law."

The SPEAKER: The Chair once again will restate the question. The question before the House is the motion of the gentleman from Orono, Mr. Treworgy, that the House accept the Majority "Ought not to pass" Report.

The Clerk will call the roll.

ROLL CALL

YEA—Bacon, Baker, Baxter, Ber-
man, Bragdon, Brockway, Brown,
Bangor; Brown, Cape Elizabeth;
Brown, Ellsworth; Call, Carter, Car-
ville, Caswell, Chapman, Gardiner;
Chapman, Norway; Choate, Christie,
Clark, Cousins, Cox, Crockett, Dean,
Dennison, Dodge, Dumaine, Dunn,
Earles, Edgerly, Edmunds, Ed-
wards, Stockton Springs; Emmons,
Ervin, Frazier, Good, Hancock,
Hanson, Bradford; Hanson, Leban-
on; Hardy, Harrington, Haughn,
Heald, Hilton, Hobbs, Hodgkins,

Hughes, Hutchinson, Jewell, Kennedy, Knapp, Knight, Lindsay, Linnell, Mathews, Mathieson, Mayo, Monroe, Moore, Morse, Parsons, Perry, Easton; Perry, Hampden; Philbrick, Pike, Rankin, Rowe, Limerick; Shepard, Smith, Exeter; Smith, Falmouth; Stanley, Storm, Treworgy, Trumbull, Turner, Wade, Walter, Weston, Wheaton, Whiting, Whitman, Williams, Winchenpaw.

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

ABSENT—Barnett, Curtis, Danes, Davis, Calais; Dennett, Dow, Graves, Jewett, Jones, Maddox, Nadeau, Sanborn.

Yes, 81. No, 57. Absent, 12.

Eighty-one having voted in the affirmative, fifty-seven having voted in the negative, with twelve absentees, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

House at Ease

Called to order by the Speaker. Thereupon, on motion of Mr. Wade of Auburn,

Recessed until two-thirty o'clock in the afternoon.

After Recess 2:30 P.M.

The House was called to order by the Speaker.

The SPEAKER: The Chair now lays before the House the fourth tabled and today assigned matter, Resolve Permitting Ice Fishing in Certain Ponds in Androscoggin and Kennebec Counties, House Paper 550, Legislative Document 785, tabled on May 4 by the gentleman

from Readfield, Mr. Dumaine, pending final passage; and the Chair recognizes that gentleman.

Mr. DUMAINE: Mr. Speaker, may I first talk about why I took that bill and put it on the table, or should I have a motion first?

The SPEAKER: Well, the question before the House is on the final passage of the Bill. That question is debatable and the gentleman may proceed.

Mr. DUMAINE: I tabled this bill for the one reason, it was almost the last bill before all the fish bills had disappeared pertaining to Kennebec County. If you would mind referring back to your L. D. 288, you will notice that it referred to opening Maranacook Lake to ice fishing, but in the type it said, the Town of Winthrop. Now the lake, Maranacook, extends from Winthrop to Readfield. I am asking to put on the record filing 313, which corrects and adds to this bill, the Town of Readfield. Now I have to recede—

The SPEAKER: The motion would be a motion to suspend the rules—

Mr. DUMAINE: To suspend the rules and to take up the adoption of the amendment.

The SPEAKER: The Chair understands the gentleman from Readfield, Mr. Dumaine, to move that the House suspend the rules whereby it passed to be engrossed Resolve Permitting Ice Fishing in Certain Ponds in Androscoggin and Kennebec Counties.

This Resolve was passed to be engrossed in concurrence in the House on April 30 and the gentleman from Readfield, Mr. Dumaine, moves that the rules be suspended for the purpose of moving reconsideration. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: Is it now the pleasure of the House that the House reconsider its action whereby it passed to be engrossed this Resolve?

The motion prevailed.

Mr. Dumaine of Readfield then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 550, L. D. 785, Resolve, Permitting Ice Fishing in Certain Ponds

in Androscoggin and Kennebec Counties.

Amend said Resolve by striking out the period at the end and adding the following:

“; and be it further

Resolves, 1959, c. 42, amended.

Resolved: That chapter 42 of the resolves of 1959 be, and hereby is, amended to read as follows:

‘Fishing in Maranacook Lake; regulated. Resolved: That the Commissioner of Inland Fisheries and Game be, and hereby is, authorized and directed to issue a rule and regulation opening Maranacook Lake, in the Town of Winthrop and the Town of Readfield, Kennebec County, to ice fishing for all fish except bass during February and March. There shall be a daily bag limit of 5 trout which shall not exceed a weight of 7-½ pounds.’”

House Amendment “A” was adopted.

Thereupon, the Resolve was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

(Off Record Remarks by the Speaker)

The SPEAKER: The Chair now lays before the House the fifth tabled and today assigned matter, Resolve Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions, House Paper 849, Legislative Document 1212, tabled on May 5 by the gentleman from Auburn, Mr. Wade, pending final passage, and the Chair recognizes that gentleman.

Mr. WADE: Mr. Speaker and Members of the House: When I moved that this matter be tabled until today, I pointed out that this important Resolve proposing an amendment to the Constitution providing for annual sessions had moved along very quickly and was before us for final passage, and also that many people had not had an opportunity to consider the implications of this important change.

I am sure that the members of the House have now had time to consider these implications. Some of these important considerations are as follows: First, that although the bill says that the budget session in the even numbered years shall

consider only appropriation bills for the succeeding fiscal year, revenue bills therefore, and such acts, resolves and resolutions or motions as may be necessary to provide for the expenses and conduct of the budget session, it is well known that such limitations would be quickly removed.

Second, that for this reason, the even year session would soon be expanded to the approximate length of our present odd year session. Third, that this second long session in a biennium would certainly result in greatly increased legislative expense; and fourth, that real improvements in our legislative procedure which were mentioned in connection with the sponsorship of this bill are available to us by relatively simple changes in our rules and that such changes are far preferable to the resort to constitutional amendment.

For these reasons, I would hope and expect that this Resolve will fail of the two-thirds vote that is required for final passage of this constitutional amendment.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I do not intend to be lengthy. This bill was debated at quite some length by me previously. I would like to state that I have mentioned in my previous comments the Vermont situation. Since then I have received a copy of their Journal on the day of Wednesday, February 11, 1959, where they were working on a joint resolution. I will just read to you briefly:

“RESOLVED by the Senate and the House of Representatives:

That when the Senate and House of Representatives adjourn on April 16, 1959, or on such prior date as may be determined, it be to reconvene on January 12, 1960, provided always that a General Appropriations Bill for fiscal 1960 shall have been signed into law prior to such adjournment,

“WHEREAS, an adjourned session of this General Assembly has been recommended to consider (1) the critical highway problems of fiscal 1961 and (2) the recommendations of the so-called “Little Hoover”

Commission for governmental reorganization, and

"WHEREAS, proposed changes to the Vermont Constitution will have to be initiated in the 1961 General Assembly, one of the most frequently mentioned changes being the suggestion for an annual legislative session to aid in state budgeting, appropriations and taxation, and

"WHEREAS, budgeting, revenue estimates and tax consideration on an annual basis are more realistic for the General Assembly and correspondingly more equitable and economical for all Vermonters," etc.

Now they are going in actually to the annual session field, as we could ourselves, by merely passing their appropriations for the year 1960, and certainly according to their own thinking by this joint resolution they are very definitely going in to the permanent annual sessions field. Now it is true as my good friend from Auburn, Mr. Wade, has stated that the rules have been battered about wherein it concerns this measure. I just sincerely and really believe that by having annual sessions and by having a committee if it so be to really study our rules and to amend them to fit the cost that we would wind up saving money and certainly a lot of time. As it stands now, we are going longer and longer and longer in the biennial field and I am just thoroughly convinced that this measure is sound in many, many more ways than one.

I would also like to bring this thought to you that with this district setup that is being entertained and has been for many years—in other words, a man will run one term and then it is the other town's turn and then it is the other town's turn, I think we lose that way—and that is why we have such a great turnover, some very valuable men, and certainly if we went into the annual sessions field where you people are elected for two years, we would benefit by our experience during the second term. I feel that sometimes the freshman member is remiss, feels he does not want to get up although he might be able to give us a great deal of his valuable information; he feels he does

not want to get up until he wets his feet so to speak, waits around. This vote, the vote that was taken previously was seventy-seven to fifty. It is now before you for the final enactment; it requires two-thirds of the membership present; it would be referred to the people to say yes or no, and I know all my good pro-referendum friends are going to stay with me.

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

Mr. HAUGHN: Mr. Speaker, Members of the House: I guess you all know my feelings and my stand on this particular issue, and in my way of thinking the arguments presented by the gentleman from Auburn, Mr. Wade, are not too sound in regards to the fact he said that the cost of government would go up. By the increased length of our sessions over the past three sessions that I've been here and have seen it, it certainly is increasing and going up, but by annual sessions, limiting them by statute to a certain number of days would certainly define and spell out the cost of our government. As it is now we have no way of knowing what the cost will finally be in the final analysis. So I don't think that particular argument he might have brought to your attention the increased cost. As to the annual sessions you could spell out by statute the number of days in the first session and the second session so the total number of days combining two years of annual sessions would not be as great as they are under the present system. And that way, too, any man knows in business that he certainly would not try to advocate a budget two years in advance. There is not one of us who might be in business who would have that type of mind or the brilliancy to be able to perform, to say two years from now what our costs would be. That is the way we are operating now. You find sometimes that we condemn the different departments for their costs. It is partly our own fault because we give them a two-year budget. We don't know what the cost of increase will be in the next two years, and you have found a surplus every single time over the past two years

because they could not truthfully advocate just what the cost would be and how much they would need, and Mr. Speaker, when the vote is taken as you know we will need a two-thirds vote, I do request a roll call vote.

The SPEAKER: Is the House ready for the question?

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

Mr. BRAGDON: Mr. Speaker and Members of the House: As the gentleman from Brunswick, Mr. Lacharite, had to be necessarily absent from this session, he talked to me this morning and asked me if I would agree to pair my vote with him. He would vote for annual sessions and I would vote against. At the time I told him I would go along with him. At that time I didn't realize the kind of a deal that I was making. Obviously it is a sort of two to one deal, as you see. So now I don't think that he thought of this fact and I am sure that I didn't. I am now leaving it up to the members of the House to decide whether or not they would wish to excuse me from going through with the agreement that I made with Mr. Lacharite.

The SPEAKER: Does the gentleman from Perham, Mr. Bragdon, ask to be excused from voting?

Mr. BRAGDON: I have to be excused from carrying out the agreement that I made with Mr. Lacharite.

The SPEAKER: The Chair must advise the gentleman that he must ask the permission of the House to be excused from voting.

Mr. BRAGDON: Thank you, Mr. Speaker, I do.

The SPEAKER: For what purpose does the gentleman arise?

Mr. ROLLINS of Belfast: Can I not speak on this issue?

The SPEAKER: On the question of the gentleman from Perham?

Mr. ROLLINS: Oh, I beg your pardon.

Mr. JALBERT of Lewiston: On the question of the gentleman from Perham.

The SPEAKER: The gentleman may proceed.

Mr. JALBERT: Believe me, Mr. Speaker and Members of the House, this bill is really close to me and I hope that the gentleman is bailed

out from the so-called deal, in all fairness I would assume the responsibility with Mr. Lacharite and if I lose by one vote he can live with his own conscience.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, requests permission of the House to be excused from voting because he would vote "yes" on this issue—would the gentleman restate his reason?

Mr. BRAGDON: Mr. Speaker, I am afraid you have got me into a mess, I got myself into a mess that you are not going to let me get out of. I do not wish to be excused from not voting, I feel that I should be excused and allowed to vote.

The SPEAKER: The Chair would again request the gentleman from Perham, if Mr. Lacharite of Brunswick were present, how would he have voted and how would Mr. Bragdon vote if he voted?

Mr. BRAGDON: Mr. Lacharite would have voted for annual sessions, I intend to vote against, and in view of what the gentleman from Lewiston has said I think that I will handle the matter myself and will vote.

The SPEAKER: The gentleman withdraws his request to be excused.

The Chair recognizes the gentleman from Waterville, Mr. Coyne.

Mr. COYNE: Mr. Speaker and Members of the House: I am in just the same predicament. I made that agreement with Mr. Monroe of Monroe. Now, he would have voted no and I will vote yes.

The SPEAKER: The Chair would advise the House in general and the gentleman from Waterville in particular that the request which must be made of the House is to be excused from voting by virtue of having agreed to pair your vote. Now if you do not want to be excused from voting, nevertheless you must ask to be excused but nobody can say no if you ask the House not to excuse you.

Mr. COYNE: I ask to be excused.

The SPEAKER: The gentleman asks to be excused from voting. Will the gentleman state how Mr. Monroe would have voted were he present and how the gentleman from Waterville would have voted if he voted.

Mr. COYNE: He would have voted no and I would vote yes.

The SPEAKER: By virtue of having paired his vote with the gentleman from Monroe, Mr. Monroe, who would have voted no if present, as the gentleman from Waterville, Mr. Coyne, who would vote yes if he voted, now asks to be excused from voting.

Is it the pleasure of the House that the gentleman from Waterville, Mr. Coyne, be excused from voting?

A viva voce vote being taken, the gentleman from Waterville, Mr. Coyne, was not excused from voting.

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

Mr. ROLLINS: Mr. Speaker, you all know how I stand on this, I stand for the annual session. There is no good of debating the thing because it has been debated enough. But I would just like to say on the argument of the gentleman from Auburn, Mr. Wade, of the cost, what in tarnation has not cost more than the Legislature? We still get five cents a mile for travel and I see there is a bill here going through for eight and nine cents for travel for others. And every session the department heads are all raised in salary, but the Legislature, it would be a shame if the party that made the laws happened to cost the government a little more in comparison with everything else that is going in this country.

The SPEAKER: Is the House now ready for the question? A roll call has been requested by the gentleman from Bridgton, Mr. Haughn. For the Chair to order a roll call the Chair must have an expression of a desire for a roll call by at least one-fifth of the members of the House. Will those who favor a roll call please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

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

Is it now the pleasure of the House that Resolve Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions, House Paper 849, Legislative Document 1212, be finally

passed? This being a Constitutional Amendment it requires the affirmative vote of two-thirds of the House for final passage. If you favor the final passage of this Constitutional Amendment you will say "yes" when your name is called; if you oppose the final passage you will say "no".

The Clerk will call the roll.

ROLL CALL

YEA — Aliberti, Barnett, Beane, Boone, Briggs, Brown, Bangor; Cahill, Call, Caron, Cormier, Cote, Couture, Coyne, Crockett, Cyr, Augusta; Cyr, Fort Kent; Davis, Westbrook; Desmarais, Dostie, Doyle, Dudley, Dufour, Dumaine, Dumais, Earles, Edwards, Raymond; Ervin, Gallant, Graves, Harris, Haughn, Healy, Hendricks, Hendsbee, Jacques, Jalbert, Johnson, Karkos, Kellam, Kilroy, Kinch, Knapp, Knight, Lancaster, Lane, Lantagne, Lebel, Lemelin, Letourneau, Lindsay, Lowery, Maxwell, Mayo, Miller, Pert, Pike, Pitts, Plante, Porcell, Prue, Rankin, Reed, Rollins, Rowe, Madawaska; Russell, Saunders, Shepard, Smith, Exeter; Tar diff, Trumbull, Walls, Walsh, Warren.

NAY — Bacon, Baker, Baxter, Bragdon, Brockway, Brown, Cape Elizabeth; Brown, Ellsworth; Carter, Carville, Caswell, Chapman, Gardiner; Chapman, Norway; Choate, Christie, Clark, Cousins, Cox, Curtis, Dean, Dennison, Dodge, Dunn, Edgerly, Edmunds, Edwards, Stockton Springs; Emmons, Frazier, Good, Hancock, Hanson, Bradford; Hanson, Lebanon; Hardy, Harrington, Heald, Hilton, Hobbs, Hodgkins, Hughes, Hutchinson, Jewell, Kennedy, Linnell, Mathews, Mathieson, Moore, Morse, Parsons, Perry, Easton; Perry, Hampden; Philbrick, Smith, Falmouth; Stanley, Storm, Treworgy, Turner, Wade, Walter, Weston, Wheaton, Whiting, Whitman, Williams, Winchenpaw, Young.

ABSENT — Berman, Danes, Davis, Calais; Dennett, Dow, Jewett, Jones, Lacharite, Maddox, Monroe, Nadeau, Rowe, Limerick; Sanborn.

Yes 73, No 64, Absent 13.

Seventy-three having voted in the affirmative and sixty-four having voted in the negative, with thirteen

absentees, and having failed to receive the necessary two-thirds vote, the Resolve fails of passage.

The SPEAKER: The Chair now lays before the House the sixth tabled and today assigned matter, Bill "An Act to Make Allocations 30, 1960 and June 30, 1961," House for the Fiscal Years Ending June 30, 1960 and June 30, 1961," House Paper 946, Legislative Document 1341, tabled on May 5 by the gentleman from Bangor, Mr. Stanley, pending the motion of the gentleman from South Portland, Mr. Linnell, to reconsider passage to be engrossed.

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

Mr. STANLEY: Mr. Speaker and Ladies and Gentlemen: For the purpose of offering an amendment to L. D. 1341, I would hope that the House would go along with the motion of the gentleman from South Portland, Mr. Linnell, that we reconsider our action when we passed this bill to be engrossed.

The SPEAKER: The question before the House is the motion of the gentleman from South Portland, Mr. Linnell, that the House reconsider its action whereby 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." 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, a division of the House was had.

Fifty-three having voted in the affirmative and seventy having voted in the negative, the motion did not prevail.

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

The SPEAKER: The Chair now lays before the House the seventh tabled and today assigned 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 May 5 by the gentleman from Kennebunk, Mr. Emmons,

pending adoption of House Amendment "A".

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

Thereupon, on motion of that gentleman, the Bill was retabled pending adoption of House Amendment "A" and specially assigned for Tuesday, May 12.

The SPEAKER: The Chair now lays before the House the eighth tabled and today assigned matter, Bill, "An Act to Repeal the Westbrook Sewerage District," Senate Paper 38, Legislative Document 36, tabled on May 6 by the gentleman from Westbrook, Mr. Davis, pending the motion of the gentlewoman from Falmouth, Mrs. Smith, that the Bill be indefinitely postponed.

The Chair recognizes the gentleman from Westbrook, Mr. Davis.

Mr. DAVIS: Mr. Speaker and Members of the House: First I want to thank everyone for giving me this courtesy of laying this bill on the table and having it assigned today on account of the illness of the gentleman from Westbrook, Mr. Porell, yesterday.

Believe me, I do not wish to turn this House into any committee hearing. However, over the weekend several people have contacted me and asked me what they could do to promote this bill which means so much to the people of Westbrook. I explained to them what has transpired here at the Legislature and I am convinced more than ever that the majority of the people are in favor of this bill.

The opponents of the bill have pointed out that its repeal would mean the stoppage of sewer construction. This is not true. Every government, being on the federal, state, city or town level, has a responsibility to its people and its desire is to carry out its responsibilities to the best of their ability. With the passage of this bill and turning it back to the city government, with a \$50,000 saving each year, we can build more sewers than ever and better satisfy the needs of the people.

I have no exterior motive against the Sewer District, but do believe it is not in the best interest of the

people who are now paying the high cost.

The repeal of this Sewer District would turn this back to the city government. They, in turn, would take over its assets and liabilities, which they are now able to do, and build sewers to meet the public's need at a lower cost.

In the Saturday Evening Express, probably you all have seen this article, it says: "Old Man River is Bobbin' Again." Much has been said about the pollution being so bad that the paint on the houses in the Falmouth area are discolored, and that the continuation of the Westbrook Sewer District would help this condition. I wish to point out to you that this is not true. However, on my way home yesterday I visited this area. The tide was out, the odor was bad and you could smell gasses.

I have made a study of this report made by the Water Improvement Commission and have tabulated results of test data compiled on the Presumpscot River. Several samples were taken at different sections on the River and were tested for temperature, dissolved oxygen, pH value; pH value, incidentally, is a chemical term used as a symbol to expressing both the acidity and the alkalinity of a product. This pH test is very important because it relates to everything that we come in contact with, the food we eat, the clothes we wear, the paper we read, the water we drink all have some pH value. pH values run from zero to fourteen. A pH of seven indicates that the product we are testing is neutral. Numbers less than seven indicate increasing acidity. Numbers over seven mean increased alkalinity. A litmus paper can be used to detect either the acidity or the alkalinity of a product. However, the pH test will give a higher degree of accuracy. Having worked for the Warren Company for the best part of my life, and for twenty years I was in a highly specialized department and I am very familiar with this test.

We have another test which we use, the Water Commission uses, the CO_2 test which is a carbon dioxide test. It is another test that denotes the carbon dioxide in numbers per million parts of water.

The B.O.D. test, which is a Biochemical Oxygen Demand, is also used. This test denotes the oxygen content of water which is important for plant and fish life. The color is also determined by a comparison with a standard.

A bacteriological test is made to give the bacterial density in terms of M.P.N., the most probable numbers. This is called the B. Coli test. This is very important.

These tests were as follows: 223 tests were taken from Mallison Falls Bridge near the South Windham Reformatory and the bridge at Cumberland Street in Westbrook in front of the S. D. Warren Mill. The average temperature 8.4 degrees centigrade, pH 6.7, CO_2 - 6.4, the B.O.D. test 1.15, the B. Coli test which is the bacteria test was 8,194.

With the Cumberland Creamery and the Dana Warp Mill closed it is well to assume that the B. Coli test would be considerably less. It is also well to note that the waters which were tested are satisfactory for plant and fish life. Both sanitary and storm sewer systems discharge waste into this area.

394 tests were taken at Bridge Street on Route 302 at Falmouth on the Lambert Street Bridge west of Route 26 and at Smelt Hill Power Station at Falmouth. These tests had a pH value of 8.2, the carbon dioxide, CO_2 - 2.3, the B.O.D. was 6.8, the B. Coli test was 24,729.

It is well to note that these tests taken above the S. D. Warren Company has a pH value of 6.7, or slightly acid, which is a standard for all streams and rivers without a pollution problem and is satisfactory for plant and fish life.

Whereas the test taken below the S. D. Warren Mill has a PH value of 8.2 which is very highly alkaline, and the B.O.D. test, a demand for oxygen, has increased considerably from 1.1 to 6.8.

The bacteria density has increased from 8,194 to 24,729, which means that this water is highly polluted.

This information presented to you today here is proof that the Westbrook Sewer System is not a problem as far as pollution is concerned in the Presumpscot River. We all know that the Presumpscot River

serves as an outlet for storm sanitary and chemical waste.

As this insoluble chemical waste lays stagnant in the low tide mud flats in the river bed, it gives off hydrogen sulphate gas, which in turn attacks the lead carbonate in paint and causes the paint to discolor.

Knowing the S. D. Warren Company who have the most able chemists available in their organization, I am sure that they are working on this problem right now, and they will do everything they can to find a satisfactory solution for it. I don't believe the Water Improvement Commission would have given the Westbrook Sewer District permission to dump more sewerage into the river if they knew a more serious situation would develop.

I do not believe my good friend from Falmouth, Mrs. Smith, who is seeking to have this bill indefinitely postponed, would support any legislation that would hurt industry, and I now hope that this motion of the gentlewoman from Falmouth does not prevail. Thank you.

The SPEAKER: The question before the House is the motion of the gentlewoman from Falmouth, Mrs. Smith, that Bill "An Act to Repeal the Westbrook Sewerage District" be indefinitely postponed. Is the House ready for the question?

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

Mrs. SMITH: Mr. Speaker and Members of the House: First, I would like to apologize to the gentleman from Westbrook, Mr. Porell, because I really didn't realize that he wasn't in the House yesterday morning, otherwise I would have moved that this be tabled until today.

But I think that my good friend, the gentleman from Westbrook, Mr. Davis, has only proved to you that there have been many tests on the Presumpscot River, that it is badly polluted. I also wonder if Westbrook cannot afford a sewer district how they can afford to have the town do it if it is costing the Westbrook people too much now, why should those who do not use the sewers pay for it, and so forth.

I am not going to prolong this question. I also spent two hours Monday afternoon in the Falmouth

area. These homes have been tested. As of a week ago Monday the Water Commission had not been called in at this time because Falmouth was not too happy with the Water Commission because they haven't allowed Westbrook to have permission to dump this new batch of sewerage in raw, and so they have had tests done and the tests were of an organic nature. I just want to point out to you that we still have the problem. It is Westbrook's sewerage and some of Portland's, and so I still hope the motion to indefinitely postpone prevails, and I request a division.

The SPEAKER: A division has been requested.

The Chair recognizes the gentleman from Westbrook, Mr. Porell.

Mr. PORELL: Mr. Speaker and Ladies and Gentlemen: We have had a long discussion on this. I am not feeling very good but I will try and give you one or two things here that Mr. Davis didn't bring out.

First of all, I sell paint. That is one of the things that we do sell in my little store in Westbrook. One of the things that we have been confronted with is the paint peeling off, and anybody that can invent something that will keep paint from peeling off will be rich, whether it be the gentlewoman from Falmouth, Mrs. Smith or the representative from Westbrook, Mr. Davis. I am sure that the paint companies would give a fortune for anyone that could stop paint from peeling. So, we can't blame it on the sewerage or anything else.

I have a problem at my house, I have every year. I have to have someone come up and scrape the parts that have peeled off. I have a home that we are pretty proud of and I do try to keep it up. But we have never found what stops paint from peeling so we can't blame that on anybody's sewers, whether it be Westbrook's sewers or Portland's sewers.

Another thing, the brown spots that they speak of on the houses in Falmouth, Mr. Davis and I spent half a day there looking around and we found a lot of brown spots on the homes, but above those brown spots were screens that had been neglected and had been left on. So, of course, you know what happens

to screens when water comes down over them and then comes down over a white house especially, it leaves a brown spot. Now, those conditions are anywhere and everywhere, whether there is a sewerage system or whether you are up high on the side of a mountain. You still get that condition. So, again I feel that our sewers are not the cause of those things, and as far as the smell is concerned, it was low tide when Mr. Davis and I were there and we did smell clam flats. I don't care where you go, whether it is Freeport, Westbrook, Kennebunkport, Biddeford Pool or Old Orchard, when you come to clam flats if it is low tide, you are going to smell something that smells a little bit worse than clams. Again, as I say, it isn't the fault of sewerage, it isn't the fault of anything except it is natural for those things to smell that way. So, I again say it isn't the fault of sewerage.

Now, if we are going to talk pollution, as the gentleman from Westbrook, Mr. Davis, said, the S. D. Warren Company has a payroll of \$300,000 a week. How can we penalize them even if they do pollute the river? They use 100,000,000 gallons of water per day, and every one of those gallons of water is polluted with something when it hits that river, either gases or perhaps the things that come out of bark, out of wood, out of chemicals that they use and they use a lot of them. The S. D. Warren Company right now is making more paper than at any time in its history. So naturally the river is discolored. In fact, you would never recognize it as water if you go down to Mrs. Smith's bridge there, down there near Falmouth. The water is no longer water colored, it is white, it is clean, it is anything you want to call it. I think it has been homogenized or something. But nevertheless, it is not water.

Now, as much as there is pollution, no doubt, in the Androscoggin River, we cross the Androscoggin every day, Mr. Davis and I, that is, when I am able to come, and that river looks like a river, and yet there are many cities above where we cross that are supposed to be polluting that river terrifically, and yet I haven't seen that yet

when it didn't look like water. But the Presumpscot River doesn't look like water. And I see no reason why we, the people of Westbrook, should be accused of polluting that river when Mr. Davis proved to you that below the points where we own our stores there is no pollution. And I don't believe that this material is coming from S. D. Warren. I don't believe that any of it is anything more than discoloration by chemicals and things of that kind. So, I don't think that we can condemn them and I am sure that we don't want to. It is a pretty ticklish subject. I am sorry that the pollution angle came into this picture.

Now, there was something mentioned here about politics. The gentlewoman from Falmouth, Mrs. Smith, said that it was a Democrat that introduced this into Westbrook. It was, and that Democrat is no longer around, believe me. He didn't do only this, but he did one or two other things to us down there that we will never forget and he will never be in office again. So, you can't glorify this Democrat for having done this to us. We actually didn't know we were voting for this, and yet I was right here when Mr. Davis presented it. He presented it for this mayor, this young fellow we had there, and we took his word for it that he was doing something great for our city, but when we started getting sewer bills, we realized he wasn't so great after all, we had made a mistake. And we came back here two years ago and we asked you nice people here to rectify that mistake. We were kicked out, just as probably we are going to get kicked out this time, but I hope not in the House. I know that the members at the other end of the hall have already voted on it, we know where they stand. They have made a political issue out of it and I am awful sorry—

The SPEAKER: The gentleman may not refer to action taken in the other branch.

Mr. PORELL: Excuse me, Mr. Speaker. But nevertheless, it is too bad that it has been made a political issue and, for that reason, the people of Westbrook are going to have to suffer for two more years. But I will promise you, I may not

come back, I may not be living two years from now, but I will promise you this: That it will be back here two years from now and I hope that we won't have the opposition we have on it now, and I hope you nice people will at least give us a chance in this House to send it back to the other branch, and if they do kill it, why, at least we will have lived a little while, and I hope that the motion of the gentlewoman from Falmouth, Mrs. Smith, doesn't prevail and I hope that we give this its last reading.

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

Mrs. SMITH: Mr. Speaker, I certainly will not belabor this point beyond this. I do want to correct still one or two things that the gentleman from Westbrook, Mr. Porell, had said.

The paint is not peeling. Some of the paint is on brand new houses. One house had just been painted, one is in the process of being painted. It surely is rusty, there is no question about it, but there aren't any screens on many of the houses. It is the reaction, of course, of lead, especially where there was any lead in the paint. The other types of paint were not affected, but because this is an organic substance and not a chemical substance, that is the reason, and I shall not belabor the point.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Davis.

Mr. DAVIS: Mr. Speaker, I think I can explain briefly the reason why the paint was discolored in the Falmouth area. I also want to point out that there is no place in this book, "A Pollution of State of Maine Streams," that give a higher alkalinity test of 8.2, which is highly alkaline water in any of their river beds. However, I do not understand the thinking of the lady from Falmouth, Mrs. Smith, why she wants to have indefinite postponement of this bill, because, if my memory serves me correctly, in 1957 there was a bill at this Legislature, An Act to create a Falmouth Sewer District. This was put to the people on April 29, 1958 and the people of Falmouth voted and they voted 1,144 votes cast, 1,102 against the

Falmouth Sewer District and only 42 for it. They say that they couldn't afford it, and that is our position in Westbrook today, we cannot afford it. Thank you.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: Not to prolong the debate on this, but I do want to request the House as House Chairman of the Public Utilities Committee, I believe it is my position for the Committee to bring to your attention once again that we brought out a seven to three "Ought not to pass" Report. It was voted by the people down there to establish this district by a two to one majority. It was brought out that the debt limit of this Water District was at such extremes right now that it would hurt the city debt limit if the city should absorb this Water District. It was voted by the city council 10 to 4 to maintain and keep this district. I don't know what is going to happen to the people of Westbrook and if the town in an emergency should need anything in the line of finances, with their debt limit gone, I don't know whether the condition of the schools and other facilities throughout the town would have a chance at all.

As far as replying to the gentleman from Westbrook, Mr. Davis, in regards to Falmouth, I won't take that issue, but I will say this: That Falmouth had before our Committee another bill this year, and on top of what they had two years ago, correcting what was wrong in their bill two years ago. The Committee passed it out unanimous "Ought to pass" for a referendum once again to those people because they could not, under the old bill the way it was written up, with their large amount of financing and so forth, see their way at that time to do it. So, I believe that so far as that issue goes, I cannot get involved. The gentlewoman from Falmouth, Mrs. Smith, may be able to explain it to you, but we do have a bill going back to them because they have not either rejected or accepted the district except the way the bill was written. But I believe the corrections were made at this time

and that particular bill is now coming before them once again. So, I just wanted to convey to this House the thinking of the Committee and I appreciate the remarks as stated by the gentleman from Westbrook, Mr. Porell, to thank him very kindly on behalf of the Republicans, they now have a Republican mayor doing a pretty good job. He has mentioned the Democratic mayor who brought this bill before you through the efforts of the gentleman from Westbrook, Mr. Davis. They submitted an excessive amount for the district, which our committee of which I was a member of at that time, turned down requests for \$3,000,000 and we did substitute a figure which we believed was within the bounds of the people to operate under. And I am very happy to hear that the Republican mayor now has done a good job for them. So, I just want to once again brief this House in regards to what the thinking of the people has been, voted two to one, expressed by the council ten to four, and the debt limit would be involved which would be ruinous, I believe, for the City of Westbrook if they had to absorb it, and this does not do away with the sewerage system even if what they want does prevail. They would still have it, the cost is still there, and every time, as I said before, it comes before this body, it just delays the construction of starting their program for one more year. And I think twice is enough to delay it for the best interests of the people of Westbrook.

The SPEAKER. The Chair recognizes the gentleman from Westbrook, Mr. Porell.

Mr. PORELL: Mr. Speaker, there is just one correction I would like to make on the figures of the gentleman from Bridgton, Mr. Haughn. Westbrook has a \$2,000,000 borrowing capacity. It owes \$500,000. If it was to absorb this \$200,000 now sold in bonds, it would be a total debt of \$700,000 against a borrowing capacity of \$2,000,000. Now, I hope that proves that we are not broke. In fact, thanks to S. D. Warren Company, who pays almost \$500,000 a year to the City of Westbrook, if it wasn't for them I don't know what we would do.

But when it comes to building sewers, I would like to mention this; that under the old system we built sewers for \$10 a running foot. That is done by thirteen councilors. They take care of the demands of the people of Westbrook according to their demands. In other words, if I need a sewer, I go to the council and the council decides if I can have that sewer and usually they will build it if it is reasonable. Under the Westbrook Sewerage District we have three trustees, they make all decisions, whether you like it or don't like it. If they decide to build a sewer on your street you are going to have a sewer.

Now, the difference in the cost of construction, \$35 a foot by the Sewer District and \$10 a foot by our Public Works Department, and with hundreds of men now unemployed in Westbrook, we could put them to use, we could give them a job and they could do just as good a job. In fact, the men they are using now on the Sewer District are the same men that we used to use in the Public Works Department. I hope that straightens out the borrowing capacity of our city and I thank you.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentlewoman from Falmouth, Mrs. Smith, that Bill "An Act to Repeal the Westbrook Sewerage District," Senate Paper 38, Legislative Document 36, be indefinitely postponed. The Chair will order a division.

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

A division of the House was had.

Sixty-eight having voted in the affirmative and sixty having voted in the negative, the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the ninth tabled and today assigned 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 May 6 by the gentleman from Cumberland, Mr. Call, pending adoption of House Amendment "B"; and the Chair recognizes that gentleman.

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: I now move the indefinite postponement of House Amendment "B", Filing Number 317.

The SPEAKER: Does the gentleman wish to speak to his motion? The gentleman from Cumberland, Mr. Call, moves the indefinite postponement of House Amendment "B" to L. D. 1313.

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

Mr. STANLEY: Mr. Speaker and Ladies and Gentlemen of the House: I would just like to point out what this amendment would do. On L. D. 1313 we have a figure of \$1,000,000 roughly for the first year of the biennium, and \$1,000,000 for the second year of the biennium, the general fund's share of the cost of state police. This amendment would eliminate \$800,000 a year from those figures.

I am quite aware that my position is not a strong one, having been turned down prior on the highway bill, and I am sorry that I will have to bring the highway bill in on this because the two funds are inseparable in this particular case. Ordinarily I would not bring another bill in to discuss the one that we are discussing now. However, I feel that I am not lobbying for any particular thing. I think you should know, at least, what my feeling is as to this particular cost of state government.

In the general fund of the State of Maine we have some forty-five departments, roughly, who are vying at all times for the available money. In the highway fund we have one department who vies with itself for all available money, and all available money in that particular department is dedicated revenue. No one else can use it except the Highway Department. No one else can ask for it and get anything from it. So, we have a condition where there is one fund which has an appropriation of roughly \$104,000,000 for the biennium. We have forty-

five departments vying for that amount of money. On the other hand, we have one department vying for some \$78,000,000 in the Highway Department, with all funds dedicated.

As you no doubt remember, the Governor's Current Services Budget, which we have been discussing and which this bill is certainly about, the Governor said that he has cut in all places and all departments so that they are now on what he calls current services, they have about the amount of money that they had to operate during this past year. The one thing that he left out of the current services budget was a figure of \$2,658,032 which would take care of the 100 per cent general purpose education aid.

If we were to take the cost of the state police out of the general fund and kept just ten per cent of it and put 90 per cent back into the highway fund, which has been the practice up until two years ago, we would have money enough to take care of the current services budget and the supplemental budget, and we would need only \$1,000,000 to take care of the whole thing.

I am sure that everyone is aware of the setup of state government that we have, the department heads are responsible to the Governor. The only one exception in that setup is the auditor who is elected by the House of Representatives who has any fiscal control whatsoever. So the Bureau of Budget, which is the office which hears all of the budget hearings, makes up the budget, actually decides about what each department would have, is responsible to the Governor, and you can appreciate how they will work with the Legislators when they are here but they are not responsible to the Legislature.

I would merely point out to you that I have said before, if we should make this change in the general fund budget, the current services budget, we would need but \$1,000,000 to pass the current services budget and the supplemental budget, as recommended by the Governor. If we do not do this, we will have to raise taxes, I am sure, to take care of the supplemental budget, whatever it may be, and it will be

at least \$2,658,000 if we are to go along with the Sinclair Act.

We also will leave in the highway fund a balance of some \$7,000,000, which will not be used. So, we tax the people on the one hand for forty-five different departments who are vying for funds, and we leave these halls with \$7,000,000 left in the Highway Department where one department vies for that amount of money, and they expend it exactly as they see fit. I think probably that is the only point that I would like to make, that this is what they call an unappropriated surplus and, as I mentioned to you the other day, this is not an unappropriated surplus in the term of which we describe it in the general fund budget. The unappropriated surplus cannot be touched except by act of the Legislature. The unappropriated surplus of the highway fund is used at the discretion of the Highway Department with the advice and consent of the Governor and Council. So, they will have, according to their own figures, \$7,000,000 left over from their operation, and they are lobbying throughout the House and throughout the whole area, that you will lose your roads in the small towns if you go along with this particular thing, if you try to cut down what money we have in the highway fund, that you will lose your roads. If you want to sit back and let them tell you what they are going to do, that is your decision. But with \$7,000,000 laying around, and they tell you that they can't build a piece of road down in Pemaquid or up in the Allagash, there is something definitely wrong. I would hope that you would not see fit to go along with the motion of the gentleman from Cumberland, Mr. Call.

The SPEAKER: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker and Members of the House: When I came to this session of the Legislature, I came with the sincere hope that we might be able to get through one term without assessing additional taxes. It seems to me that this proposal to ask the Highway Department to take on ninety per cent of the maintenance of the state po-

lice is a move that would help us toward that end. It is my sincere desire that we will not think lightly of this amendment, but that we will pass it, because in passing it, I believe, that we will help to at least cut down the amount of taxation that will be needed to finance our state for the next two years. So, I hope that the motion to indefinitely postpone does not prevail.

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

Mr. TURNER: Mr. Speaker and Members of the House: I am certainly opposed but I certainly would like to go along with the recommendation of the gentleman from Cumberland, Mr. Call, to indefinitely postpone the amendment, and I think every member of this House, if they are interested in the good sound operating of the Highway Department, that we should go along with it.

I am surprised that the gentleman from Bangor, Mr. Stanley, would try to rob this department as he is. In his talk this morning he spoke about the Liquor Department there, they only do a \$23,000,000 business, and with a \$3,000,000 operating account. Now, in the Highway Department last year there was about \$50,000,000 handled, and their operating account is about \$3,800,000. I don't know where he gets the \$7,000,000 but he found it somewhere probably.

Now, all these projects that are taken with the federal government, there was about \$20,000,000 spent last year with the federal government. Now, all of those projects have to be completed and financed out of this \$3,800,000. They don't have to all be financed at one time, but as time goes on that money is turned over several times. If the Department didn't have this working fund, when it becomes spring and all of these towns write in or send in to be reimbursed on this snow removal, I don't know how that would ever come out, and I don't think that there is any need to talk too much on this. I have got a lot of figures here that I could present, but after the vote on the passing of the Highway bill, I don't think there is too much need to talk any further, but I really

hope that the motion of the gentleman from Cumberland, Mr. Call, prevails.

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

Miss CORMIER: Mr. Speaker and Members of the House: Relative to this amendment, now that we have refused to reconsider item six this amendment is worthless, because this amendment would merely take out of the general fund the money that we would have put, and put it in the highway fund. And since we have turned this down, this amendment is worthless and, therefore, we should go along with the indefinite postponement.

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

Mr. STANLEY: Mr. Speaker and Members of the House: I would agree with the gentlewoman from Rumford, Miss Cormier, that the paper on which this is written is rather worthless. But in the processes of government, in the processes of legislation, we do not decide upon a particular thing on one hearing or one reading. I believe we have five of them and, as far as I know, the session is not over yet.

As to the gentleman from Auburn, Mr. Turner, I don't know whether he was questioning my figures or not but if he would like to see them, and he has the budget book before him, he can look on Page 46 of the highway fund in the budget book and see that unexpended balance carried to the next year in 1961 will be \$7,066,198, and he said that they have to have money to take care of the snow removal in the spring of each year. If he would look at that same document, at the end of this past year that we went through, they carried forward \$14,304,000. And at the end of this particular year, and they tell me that they haven't been able to spend their funds because of the weather, but they anticipate carrying forward \$10,071,196.

If we have money that can lay around of this type, I would feel a little perturbed to go home and not having done something about it.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: The gentleman from Bangor, Mr. Stanley, has spoken well and eloquently, and it grieves me greatly to have to take issue with his position. However, as one of the members of this Committee who brought out this report on this bill, I feel that I must disagree with him. Perhaps my only simple reason for it, and I won't go into it greatly, is that it doesn't appear to me that we are going to change the financial position of the state very much by taking money from one pocket and putting it in another. Perhaps if this could have been done earlier it might have been a different story, but as it stands now, I feel this is a very unwise time to attempt to do this.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Cumberland, Mr. Call, that the House indefinitely postpone House Amendment "B" to 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."

On motion of Mr. Call of Cumberland, a division of the House was had.

Eighty-five having voted in the affirmative and forty having voted in the negative, the motion prevailed.

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

Mr. ROLLINS: Mr. Speaker, I move that we reconsider our action whereby we indefinitely postponed House Amendment "B" to Senate Paper 461, Legislative Document 1313.

The SPEAKER: Does the gentleman wish to speak to his motion? The gentleman from Belfast, Mr. Rollins, moves that the House now reconsider its action whereby it indefinitely postponed House Amendment "B" to L. D. 1313.

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

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

The SPEAKER: A division has been requested.

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

Mr. ERVIN: A point of information. I would like to have the Speaker explain just exactly what happens when this procedure goes through.

The SPEAKER: The Chair would advise the House and the gentleman from Houlton that the effect of the motion of the gentleman from Belfast, Mr. Rollins, would be if the move to reconsider fails, no further reconsideration could be moved except under suspension of the rules. Is the House ready for the question?

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

Mr. STANLEY: Mr. Speaker, no further reconsideration of what?

The SPEAKER: Of House Amendment "B". The question before the House is the motion of the gentleman from Belfast, Mr. Rollins, that the House now reconsider its action whereby it indefinitely postponed House Amendment "B" to L. D. 1313. A division has been requested.

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

A division of the House was had.

One having voted in the affirmative and ninety-nine having voted in the negative, the motion did not prevail.

The SPEAKER: For what purpose does the gentleman arise?

Mr. LINNELL: I rise to offer an amendment.

The SPEAKER: The gentleman may proceed.

Mr. LINNELL: Mr. Speaker, I offer House Amendment "C" to L. D. 1313 under Filing Number 318 and move its adoption.

The SPEAKER: The gentleman from South Portland, Mr. Linnell, now offers House Amendment "C" to L. D. 1313 and moves its adoption. The Clerk will read the amendment.

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

Thereupon, Mr. Wade 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 Clerk will read the amendment.

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

HOUSE AMENDMENT "C" to S. P. 461, L. D. 1313, 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."

Amend said Bill under the caption "HEALTH AND WELFARE, DEPARTMENT OF" by striking out from the paragraph entitled "Central Maine Sanatorium" the lines:

"Personal Services	419,720	419,440
All Other	184,370	184,345
Capital Expenditures		
	5,148	2,217"

and inserting in place thereof the lines:

'Personal Services	481,720	481,440
All Other	222,370	222,345
Capital Expenditures		
	5,148	2,217"

Further amend said Bill under the caption "HEALTH AND WELFARE, DEPARTMENT OF" by striking out the following paragraph:

"Western Maine Sanatorium		
Personal Services	320,737	319,657
All Other	130,568	130,567
Capital Expenditures		
	5,497	5,498"

Further amend said Bill by correcting the totals therein affected by the adoption of this amendment.

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

Mr. LINNELL: Mr. Speaker, Ladies and Gentlemen of the House: In regards to this amendment, which, as you can see, it concerns with the discontinuance of the facilities at Hebron, also known as the Western Maine Sanatorium. Apparently, according to the current services budget as reported out, the cost of running the Western Maine Sanatorium during the next biennium will be \$912,524 plus any cap-

ital improvements deemed necessary.

In the category of capital improvements, departmental requests this year totalled \$33,800 of which the Bureau of Public Improvements has indicated \$29,000 to have a priority in the first million. In addition to this, there was a legislative document number 859 which called for \$1,200,000 to build a patient building. The actual expense of running this institution during the fiscal year 1957-1958 was \$421,871. It would thus appear that there will be, if the institution is continued, an increase of about 7 per cent in operating expense. The apparent cost of absorbing all of the patients from Hebron at the Central Maine Sanatorium in Fairfield and caring for these patients during the next biennium is estimated at about \$200,000. This is a liberal estimate considering the equipment and supplies which would be made available upon the closing of the facilities at the Western Maine Sanatorium. This \$200,000 would, of course, be in addition to the amount allocated under L. D. 1313 to the operating expense at the Central Maine Sanatorium.

The consolidation of these two institutions would reduce the per patient daily cost from about \$28.00 at Hebron, based upon a constant figure forty-five patients, to about \$17.00 at Fairfield, based upon a constant figure of one hundred sixteen patients. I submit to you that the continued operation of the Western Maine Sanatorium is a luxury which the taxpayers of this state can no longer afford, and the continued expenditures to keep it in a reasonable state of repair will, if they have not already, reach a point of diminishing returns which will necessitate major capital outlays.

The facilities at Fairfield, on the other hand, contain some excellent fully accredited facilities which are being used only to about 50% of capacity. There are 160 beds, all made up, ready for occupancy so that the forty-five patients from Hebron could be readily handled with room still left over for at least forty more. All this can be accomplished without a single penny of capital outlay.

I would hesitate to say this, but I have made a point of going to Fairfield and examining for my own information the facilities there. They have there a building called the Downs Building with twenty-four beds all made up, all ready for occupancy, that building was completely renovated five years ago and has been used only twice since for a temporary overflow. This building is in excellent condition. It has tile floors, newly painted, has kitchen facilities, has indirect lighting, has acoustical ceilings, and in general is a highly desirable place for a patient to be.

In the name of sound government, I do not see how we can continue to turn our backs upon this completely unjustifiable raid on the money of the taxpayers. Thank you.

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

Mr. HAUGHN: Mr. Speaker, Members of the House: I concur with a few remarks that were made by my good friend Mr. Linnell from Portland, but I would like to read to this House a letter that I have bearing out some little different facts from the Commissioner of Health & Welfare, Dean Fisher. I would like to read and I quote; this letter was not addressed to me but to somebody else I will not mention, but it says "Any one of several plans for the consolidation of Western Maine Sanatorium and Central Maine Sanatorium may be adopted. They will differ from one another by the timing of the various elements of the plan, by the amount decided upon for capital improvements at the Central Maine Sanatorium, by the amounts made available for the provision of substitute out patient services, in the geographic area of the closed sanatorium, by the estimated amounts of equipment and inventory that may be transferred, by the responsibilities we may be left with toward the closed plant, etc.

"Obviously, each possible plan will require somewhat different financing, and will generate somewhat different apparent savings in the next biennium. Obviously too most of the figures used in any

plan must be estimates. Therefore, any savings figure is also an estimate and subject to some element of error. Any estimate we make must be conservative for we must be reasonably certain that we can carry out the particular proposal within the limits of the funds made available for it. Because of the bad distribution of the buildings at Fairfield, it would not be wise to transfer Hebron patients there on a permanent basis without extensive repairs and renovations to the Jewell Building. Thus there are three general plans which probably represent the extremes insofar as potential savings are concerned. Number one, immediate closure of Hebron and transfer to Central Maine Sanatorium doing nothing except minor changes at Central Maine Sanatorium. This would be undesirable from the point of view of both the patient and the economics of operation. Number two, immediate closure of Western Maine Sanatorium with the transfer of patients to temporary quarters at Central Maine Sanatorium while repairs and renovations are made for permanent care. (The Downs Building would have to be used in this plan.) Number three, make necessary changes at Central Maine Sanatorium and transfer Western Maine Sanatorium patients when the renovations are completed. A. I do not believe that plan one above should be seriously considered.

"Plan B, using the same general basis of estimates that were used in my letter of April 28, 1959 to Representative Stanley, and considering only the closing of Western Maine Sanatorium, plan two above can be expected to result in biennial savings of about \$300,000 to \$325,000. C. The general plan outlined in my letter of April 28, 1959 to the unmentionable body applying only to the closing of Western Maine Sanatorium could be expected to save about \$100,000 in the biennium in comparison with our requests for funds for continued operation of the separate sanatorium. Both B and C include items of \$100,000 for repair, etc. at Central Maine Sanatorium. \$25,000 as the cost of closure and transfer and \$35,000 as the cost of substitute out patient facilities. Savings in the second

biennium will obviously be considerably greater than the first biennium of such moves."

Now, Mr. Speaker and Members of the House, on the strength of this letter, we are considering savings of state funds, we are considering, the first consideration, of course, is the patients. Second, is the public at large. Thirdly, I might say should be savings of funds. But when we consider savings of funds, they talk about simply Hebron, of closing that. I don't hear mentioned Presque Isle at all. Now, they claim there is so much space available at Fairfield, why isn't it just as feasible to move everybody from Presque Isle as it is from Hebron into one sanatorium? You want savings; there is an opportunity to do it. Let us make one general good hospital for the people so we can care for the patients with the best results and with a saving.

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

Mr. WHITMAN: Mr. Speaker, Members of the House: I am sure we all realize that we are now considering a very serious problem. The State of Maine has a tremendous responsibility in caring for these persons afflicted with this disease. The problem of sanatorium facilities to care for these patients is not a new problem. Consolidation of such facilities is not a new idea. The consolidation problem has been debated here for years, pro and con. However, I think in past years too much consideration has been given to factors other than the conditions of the patients themselves.

In the meantime while all this debate has been going on, conditions have been growing progressively worse at Hebron. Those of you who have ever visited Hebron will understand what I mean when I say that conditions there at this time are deplorable. In the past not enough emphasis has been placed on the welfare of the patients, and too much emphasis on these various other factors. I feel that the time has come when we must face up to this problem, and do what is best for all concerned. If consolidation of Hebron with Fairfield can

be effected at this time, we can make progress in three different ways. First and most important, we would improve the standards of treatment and the living conditions of the patients now confined at Hebron. In making Fairfield the TB treatment center of Maine, future improvements would be fully justified.

Second, this move would be a step in the right direction to bring the State of Maine up to date in the methods of treating this disease. Modern advances in medicine have shifted the emphasis from long confinement in an open-air sanatorium to shorter stays in comfortable quarters, and a great deal of out-patient treatment.

Third, this will be a major step in increasing the efficiency of our Health & Welfare Department, resulting in a considerable saving to the taxpayer.

The present setup is a very good example of inefficiency and duplication of effort. Both institutions at the present time are operating at less than one-half capacity, each having a staff considerably larger than the patient load, and I can give you a few figures to bear that out. At Western Maine, which is Hebron, they have a capacity of somewhat over a hundred patients. The patient load there now stands at about forty-five. The personnel to maintain this operation represents some eighty-seven persons. If you would like to substantiate these figures, you can all check in your snoop book. At Central Maine we have a capacity of one hundred eighty-three patients. The patients residing there now number seventy-three. For personnel at Central Maine, we have one hundred and twenty-one. Now at the present time Fairfield is equipped to handle special treatment and it is now the practice to transport patients from Hebron to Fairfield for special treatment and operations, and then transport them back to Hebron for convalescence.

At a meeting of the delegations from the four southern counties most concerned with this move, the vote to consolidate was overwhelmingly in favor, and I hope that that feeling will prevail here today.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: As Chairman of the Public Health Committee of the House, it is my duty as I saw it, and I have inspected all of these places.

I am not going to give you a lot of figures here, although I have a lot. I will just say that it would seem to me that sooner or later that there will be a closing of perhaps one and maybe both of the outlying ones and going to Fairfield. But from what I have seen, and the figures that I have, it don't look to me that now is the time.

Now, if we are going to Fairfield right now, someone has set the figure that it would cost \$100,000 to move. Well, after you move them you have got to feed them and then even if you just closed Hebron, you would have to put them in three different buildings over there because there are only a few, as the gentleman stated, yet there is not room to put them in any one building because it is not in shape. Therefore, you would have to take quite a few of the personnel from Hebron over there.

It looks to me to be a real good idea if we set this up and made some sort of a plan. From what I have seen, this is just my idea, it would set it up for two years from now, and in the meantime if we fixed up Fairfield in proper shape, probably we might rehabilitate one of those buildings like we have one already or might put in a new one. But anyway we would go there and they would be ready for us.

The gentleman has quoted that things in Hebron were in terrible shape. I did not find it so. If he found it so, I am wondering when. Now, what people they have there are being properly served. In the past two years they have had a new kitchen and a new laundry and everything is in apple pie order.

I am just going to read you a little bit of what is said here from Dr. Fisher, we went over it and he wrote: He says: "Apparently some consideration is being given to the possibility of closing Western Maine Sanatorium and leaving the North-

ern Maine Sanatorium open. The combination of all sanatoria would probably result in an average decrease of about two dollars per patient per day in operating costs. All of these savings would not be realized if only Western Maine Sanatorium were closed, for most of the expenditures in the four items above would have to be made regardless of whether one or both sanatoria were closed. From the point of view of the quality of service, there is no question but what this can be provided in the combined sanatoria. From this point of view, the easy availability of service to patients in the original proposal has an advantage."

Now, it just shows you that all of this vast amount cannot be saved at this time because we would only save a very little. Two dollars per day per patient would be too much where they only have forty-one over there. By the courtesy of being reasonable, if we went along and really set up a program, a real program, and then closed the place over there in Hebron, I would like to see that eventually made a boys' school, I know there are some buildings that are in fine shape and perhaps that could be considered, but this jumping right off the deck without any looking around doesn't seem to me to be just what we should do.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I questioned to myself yesterday the accuracy of the figures in the amendment. I consequently sought that information and other information from Dr. Fisher. I would like to read his report. "The funds proposed in the amendment to Legislative Document 1313 for the closing of Western Maine Sanatorium and the transfer of patients to Central Maine Sanatorium are completely inadequate for a number of reasons, some of which are as follows: There is absolutely no provision for any capital changes at Central Maine Sanatorium, and at least some such changes should be considered absolutely an essential part of the plan for combination of the two institutions. No provision whatso-

ever is made for the cost involved in closing Western Maine Sanatorium and making the transfer of patients, equipment and inventory. At least one element of cost of closing Western Maine Sanatorium will be that of payment to employes, whose employment may terminate, of the cash equivalent of their accumulated vacation time. Without knowing the exact number of employes that may be transferred, the cost of this one item alone may possibly be on the order of \$10,000.

"If the amended Legislative Document 1313 passes in its present form and no other funds are made available to us, immediate closing of the Western Maine Sanatorium may be necessitated by this one item because the only place where these funds appear to be available under present circumstances is in the current year's budget of the Western Maine Sanatorium. No provision is made even for the construction of the present clinic in Lewiston, to say nothing of the provisions that would be made for additional clinic service in the geographic area now served by the Western Maine Sanatorium as a substitute for the existing outpatient department function of the institution. The amended legislative document is no indication of the future plans for the use of the Western Maine Sanatorium building, and does not indicate where the responsibility will lie for protecting and maintaining these buildings. If this is to be a departmental function, there will be some obvious cost involved for the maintenance of utilities, watchmen and similar services. There are probably certain re-installations of equipment which should be made at the Central Maine Sanatorium, after transfer of our institution, of equipment from Western Maine Sanatorium in the interest of more economical operation of the Central Maine Sanatorium.

"For example, Western Maine Sanatorium has new laundry equipment and Central Maine Sanatorium purchases its laundry service from commercial sources. It is very probable that the moving of the Western Maine Sanatorium laundry equipment and the establishment of a laundry at Central Maine Sanator-

ium would result in an operation savings. Inadequate consideration has been given to the drug items for both inpatient and outpatient service, no consideration has been given to the departmental costs which, as a matter of convenience in operating the three institutions, has been carried as a part of our general administrative activities and now only two institutions should be assigned to the budgets of the sanatoria. By and large, the figures which now appear in the amended Legislative Document 1313 seem to consider only the cost of food, housing and minimum staff increase has not been analyzed from the point of view of the organization which will be required.

"In view of the great variety of figures relating to the budgetary results of closing the Western Maine Sanatorium now being used by many people, it would seem to me that it is time for a group of those interested in closing Western Maine Sanatorium to meet with representatives of the Department for the purpose of analyzing and discussing these figures and finally reaching a single set of figures on which all can agree as representing a sounding out of the cost involved and a realistic basis on which two institutions can be combined without being detrimental to the interests of the patients."

A few years ago, as a member of the Legislative Research Committee, this problem was taken up and taken up seriously. Out of it came the transfer of the Sanatoria problem from the Institutional Department to where we felt it rightfully belonged, to the Department of Health and Welfare. The Committee so recommended and the next Legislature agreed with the program. On the heels of that a thought had been given to give the Sanatoria problem a complete study in itself. That, frankly, has never been done and I think before we go into such a move, I think very definitely that a complete and thorough study of the entire problem should be entertained. Then we would know where we were moving, how much it would cost, how judicious it is or not.

The SPEAKER pro tem: The

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

Mr. LINNELL: Mr. Speaker and Ladies and Gentlemen: In response to the remarks of the gentleman from Bowdoinham, Mr. Curtis, I think he quoted me as saying \$100,000 being allowed for the additional cost at Central Maine. I believe the figure which I gave and the figure which you will notice for the biennium, if you examine the amendment, is \$200,000.

This figure is based, not just upon the absorption of Hebron, it is based on the juggling of the patient load at Fairfield from 70 to 140. So, it is a liberal figure.

The gentleman from Bowdoinham, Mr. Curtis, suggests a plan, some sort of a long-range plan but he doesn't present such a plan.

In regards to the remarks of the gentleman from Lewiston, Mr. Jalbert, in the statement which he read, saying that capital improvements would be needed in Central Maine, I disagree thoroughly. The letter mentioned the cost of transferring the patients. Central Maine Sanatorium now has an ambulance. They have other vehicles. Between 80 and 90 per cent of the patients at Hebron can be transferred by automobile. The additional ones that cannot can be transported in the ambulance of the Central Maine Sanatorium. Therefore, the cost there would be just gas and oil.

In regard to the necessity of outpatient clinics, if you close Hebron, I understand the Department suggests an outpatient clinic at Biddeford, an outpatient clinic at Lewiston. I would point out that they already have, in effect, an outpatient clinic at Portland. I am not concerned at this time with the future plans regarding the facilities at Hebron. I am only concerned with closing the doors.

The gentleman from Bridgton, Mr. Haughn, read one letter from Dr. Fisher. The gentleman from Lewiston, Mr. Jalbert, read a second one. The first acknowledges that saving can be accomplished. The second questions that fact. There is an inconsistency, as you can all see.

I would merely say to you that if you can in good conscience and in view of the obvious savings, go

back to your constituents and face them, especially if we have to raise any taxes, then by all means vote against the amendment.

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

Mr. SAUNDERS: Mr. Speaker and Ladies and Gentlemen: Over the weekend I received several telephone calls. I think one thing we want to take into consideration very seriously is the patients themselves. This is a big problem. One of the best cures, I understand, for T. B. patients is that they have frequent visitors from their families. There at Hebron we are servicing part of the county which I represent and these people are very concerned about moving the sanatorium. Sometimes, I think, perhaps we forget people and think of money. To those patients who have to lie on their backs for weeks, the visitation of a family member is very important to them. And certainly maybe we could save a few dollars but it may not be as much as we think it is. Although we had a meeting of the various counties in delegation the other day, certainly there were many of us who did not have enough facts and could not see this thing thoroughly. I think perhaps we better look into it a little more, and I for one, would be in favor of a study or a plan so that we would know where we stood before we made this jump. Thank you.

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

Mrs. KNAPP: Mr. Speaker and Members of the House: Dr. Fisher met in our Committee and, after talking over a few things, I sprung on him that I guessed probably we would try to move the Western Maine Sanatorium. He didn't seem disturbed at all and he said, "That's fine, just let me know a few days ahead of time." He said, "That will be all right."

Now, you have been told as far as transferring a patient that was almost nil because they have plenty of equipment down at Central Maine. Now, as far as the clinics, what about our veterans? They have to go to Togus down there at the clinic. Would it be any more of a hardship to take our T.B. patients

down there? We have all modes of transportation. And as far as equipment they have down to Western Maine, Dr. Fisher said that could be very easily moved and he thought it could be used to good advantage. Now, we know the longer we wait for these things the more it costs, and if we put it off another two years it is just going to be another study. We are going to be right back where we were in the first place. Now, as far as the drugs, it isn't going to cost any more for the drugs down at Central Maine that it is if they stayed up at Hebron. As far as these visits, everybody knows that we have people in the hospital, they all like to see us, but those sanatoriums were built in the horse and buggy days. It doesn't make any difference whose house you go by today, it seems as though the poorer they are the better car they have, so I think that they could all get there to visit their folks if they were that much interested. And I am very much in favor of this move.

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

Mr. WHITMAN: Mr. Speaker and Members of the House: I agree with the gentleman from Bethel, Mr. Saunders, that our primary concern should be for these patients. However, I too have been approached on this subject back in my own back yard. My answer in reply to the main objection which, I understand, is the only objection to the consolidation move, this objection that the families will have too long a distance to travel to make frequent visits. Now, my reply to that question has been that personally, I myself would travel five times a week to Fairfield rather than have any member of my family confined at Hebron. The conditions there are such that I would dread the thought of any of my family being confined there. And if you are afflicted with a disease, you go where you can get the best treatment. At Fairfield we can provide these people with the best treatment.

Now, it has been suggested that we have a thorough study. Perhaps we should appoint a committee to study this, but I have seen these

study committees come and go and, without a doubt, that would be another two or perhaps four years before they would come up with any definite conclusion. In the meantime, as I have said before, things are rapidly growing worse at Hebron and we are doing nothing for those patients who some people have registered concern for. So, I hope that this amendment will prevail. If the mechanics and the amounts are not accurate, there will be subsequent possibilities to straighten out any minor financial difficulties.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: I would like to ask a question through the Chair of the gentleman from South Portland, Mr. Linnell. If he thinks in that amount of money he has specified, is there sufficient enough in that to move the people from Presque Isle down there too along with the Western Maine Sanatorium, and if not, how much more further might be needed to accomplish that?

The SPEAKER pro tem: The gentleman from Bridgton, Mr. Haughn, has asked a question through the Chair to the gentleman from South Portland, Mr. Linnell, who may answer if he so chooses.

Mr. LINNELL: The figure of \$200,000 is based upon doubling the patient load at Central Maine Sanatorium. I am not concerned personally as to whether or not that would be enough to take care of Northern Maine. I think a thing can be overdone. I don't have any figures as to what might be necessary as far as absorbing Northern Maine is concerned outside of the fact that as far as the current services budget is concerned, these figures should, and I could be reasoned with if somebody would show me any reason why they are not adequate, but why these figures should not allow for doubling the patient load at Central Maine.

The SPEAKER pro tem: Does the gentleman consider his question answered?

Mr. HAUGHN: Mr. Speaker. I do up to that point, but I want to bring out the so-called savings that they

all talk about. They do not include what other costs there are that are not in the budget as far as the cost of the Sanatorium operations itself is. We must remember that within your Health and Welfare Department they have a tremendous cost of keeping facts and figures and cases of office work and so forth, which is done right here in this State House in the Department, those costs not included in the savings, which should be. When I try to tell you about savings, this should be deducted from the savings because that additional cost is borne because of the operation. Now, we must remember if you close Hebron, which I believe at this time should be done, but I question as to whether it is advisable at this present time until something is more definitely established, more proof is given, not just estimates and theories as to whether or not you are considering the fact you are removing it from the heaviest populated area in the state, in Cumberland and York Counties, the most revenue in the state is derived from those two counties, if that has been given consideration for the convenience of the public as well as the patient. So, I say once again, the full savings has not really been shown completely. Until that is done, I know I for one, could not honestly vote on a question of this kind and vote truthfully because I lack the wisdom and knowledge to know what the actual saving is and what it will accomplish after it is done.

The SPEAKER pro tem: Is the House ready for the question?

The Chair recognizes the gentleman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker and Members of the House: The 1955 Legislature created the position of the Director of the Division of Tuberculosis, and as yet that position has not been filled. Now, I think that if steps were taken to fill that position, this person could perhaps come up with a lot of the answers that we are looking for and prevent a lot of these inconsistencies now existing, so I hope that the amendment is not accepted.

The SPEAKER pro tem: The Chair recognizes the gentleman from Skowhegan, Mr. Whiting.

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

The SPEAKER pro tem: The gentleman from Skowhegan, Mr. Whiting, has moved the previous question. In order for the Chair to entertain the motion it must have the consent of one-third of those present in the House.

Will all those in favor of the Chair entertaining the motion for the previous question please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER pro tem: Obviously more than one-third of those present having arisen, the Chair is authorized to entertain the motion for the previous question.

The question now before the House is, shall the main question be put now? This question is debatable with a time limit of five minutes for each person.

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

Mr. CURTIS: Mr. Speaker, it seems like rather a hard job to get recognized here. I don't know why they put anybody on committees when you don't want to hear what they found out. Evidently that is what they want to do, but I do not think we should put the question now because I think there are a few things that should be said. I don't know if we have a chance to say anything now or not or just debate the question.

The SPEAKER pro tem: The Chair understands that the gentleman from Bowdoinham, Mr. Curtis, is opposed to the presentation of the previous question now. The question is shall the main question be put now?

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

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

Seventy having voted in the affirmative and thirty-nine having voted in the negative, the main question was ordered.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from South Portland, Mr. Linnell, that the

House adopt House Amendment "C" to 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. The Chair will order a division.

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

A division of the House was had.

Seventy-eight having voted in the affirmative and forty-six having voted in the negative, the motion prevailed.

At this point, Speaker Edgar returned to the rostrum.

SPEAKER EDGAR: The Chair wishes to thank the gentleman from Auburn, Mr. Wade, for his excellent services as Speaker pro tem.

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

The SPEAKER: The pending question now before the House is the passage to be engrossed, as amended by House Amendment "C", of 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.

This Bill, having had its three several readings in the House and the Committee on Bills in the Third Reading having reported no further verbal amendments necessary, is it now the pleasure of the House that this Bill shall be passed to be engrossed as amended in non-concurrence?

The motion prevailed and the Bill passed to be engrossed as amended by House Amendment "C" in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the tenth tabled and today assigned matter, Bill "An Act Creating Municipal

Urban Renewal Authorities," House Paper 555, Legislative Document 811, tabled on May 6 by the gentleman from Lubec, Mr. Pike, pending further consideration. This bill was engrossed in the House and engrossed as amended by Senate Amendment "A" in non-concurrence; and the Chair recognizes that gentleman.

Mr. PIKE: Mr. Speaker, I had intended to introduce an amendment at this time, but as further information came in, it seemed unnecessary and ill timed, so I will not do it. Whatever the motion required is, and I can't make it out from here, to send this bill merrily on its way, I would be glad to make it.

The SPEAKER: The Chair would advise the gentleman that the motion to accomplish what he desires would be to recede and concur.

Mr. PIKE: I so move.

The SPEAKER: The gentleman from Lubec, Mr. Pike, moves that the House now recede and concur. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: Would the gentleman from Rumford, Miss Cormier, and the gentleman from Auburn, Mr. Wade, please meet with the Speaker at the rostrum. The House may be at ease.

(Conference at rostrum)

The SPEAKER: The Chair now lays before the House, Bill "An Act Establishing a Minimum Wage," L. D. 92, the New Draft number being L. D. 1337, which was tabled earlier in today's session and assigned for later in today's session. The pending question before the House is the acceptance of either Report.

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

Mr. WADE: Mr. Speaker, I now move that the House accept the Minority "Ought to pass" Report in the New Draft L. D. 1337.

The SPEAKER: Does the gentleman wish to speak to his motion?

Mr. WADE: Only at this time to state that I believe it should have its first two readings and be ready for amendment.

The SPEAKER: The question before the House now is the motion of the gentleman from Auburn, Mr.

Wade, that the House accept the Minority "Ought to pass" Report. Is the House ready for the question?

Will all those who favor the acceptance of the Minority "Ought to pass" Report please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

The Bill was then given its two several readings.

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

Mr. WALSH: Mr. Speaker, I offer House Amendment "A" and move its adoption, under filing number 319.

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

HOUSE AMENDMENT "A" to S. P. 472, L. D. 1337, Bill, "An Act Establishing a Minimum Wage."

Amend said Bill in that part designated "Sec. 132-C" by striking out in the last line the underlined figure "\$.80" and inserting in place thereof the underlined figure '\$1'.

The SPEAKER: The question before the House is the motion of the gentleman from Verona, Mr. Walsh, that the House now adopt House Amendment "A".

The Chair recognizes the gentleman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker and Members of the House: We are delighted with this amendment. It is immaterial to us whether the bill carries a Democratic name or a Republican name. The thing that we are interested in is to get a dollar minimum wage with not too many exceptions for the welfare of the working man of this State. Above party politics, we believe, is the benefit to be derived from this bill. We feel that a dollar in this day and age is very little to give to the working man, and consequently we are very glad to support this amendment. And when the vote is taken I would ask for a roll call.

The SPEAKER: The gentleman requests a roll call.

Is the House ready for the question? The question before the House is the motion of the gentleman from Verona, Mr. Walsh, that the House adopt House Amendment "A" to Bill "An Act Establishing a Mini-

mum Wage," Senate Paper 472, Legislative Document 1337. If you favor the adoption of House Amendment "A" you will say "yes" when your name is called; if you oppose the adoption of House Amendment "A" you will say "no".

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

Mr. HUGHES: Just for a matter of information, Mr. Speaker, did you ask if the required number wanted a roll call?

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, the Chair must have the expression of a desire for a roll call from at least one-fifth of the members of the House. Will those who desire a roll call please rise —

A sufficient number arose.

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

The Chair will restate the question. The question is on the motion of the gentleman from Verona, Mr. Walsh, that the House adopt House Amendment "A". If you favor the adoption of House Amendment "A" you will say "yes". If you oppose it you will say "no".

The Clerk will call the roll.

ROLL CALL

YEA — Aliberti, Bacon, Baker, Barnett, Baxter, Beane, Boone, Bragdon, Briggs, Brockway, Brown, Bangor; Brown, Cape Elizabeth; Brown, Ellsworth; Cahill, Call, Caron, Carter, Carville, Caswell, Chapman, Gardiner; Chapman, Norway; Choate, Christie, Clark, Cormier, Cousins, Couture, Cox, Coyne, Crockett, Cyr, Augusta; Cyr, Fort Kent; Davis, Westbrook; Dean, Dennison, Dodge, Dostie, Doyle, Dudley, Dufour, Dumaine, Dumais, Dunn, Earles, Edgerly, Edmunds, Edwards, Raymond; Edwards, Stockton Springs; Emmons, Ervin, Frazier, Gallant, Good, Graves, Hancock, Hanson, Bradford; Hanson, Lebanon; Hardy, Harrington, Harris, Haughn, Heald, Healy, Hendricks, Hilton, Hobbs, Hodgkins, Hughes, Hutchinson, Jacques, Jalbert, Jewell, Johnson, Karkos, Kellam, Kilroy, Kinch, Knapp, Knight, Lancaster, Lane, Lantagne, Lebel, Lemelin, Letourneau, Lindsay, Lin-

nell, Lowery, Mathews, Mathieson, Maxwell, Mayo, Miller, Moore, Morse, Parsons, Perry, Easton; Perry, Hampden; Pert, Pike, Pitts, Plante, Porrell, Prue, Rankin, Reed, Rollins, Rowe, Madawaska; Russell, Saunders, Shepard, Smith, Exeter; Smith, Falmouth; Stanley, Storm, Tardiff, Treworgy, Trumbull, Turner, Wade, Walls, Walsh, Warren, Weston, Wheaton, Whiting, Whitman, Winchenpaw, Young.

NAY — Kennedy, Philbrick, Williams.

ABSENT — Berman, Cote, Curtis, Danes, Davis, Calais; Dennett, Desmarais, Dow, Hendsbee, Jewett, Jones, Lacharite, Maddox, Monroe, Nadeau, Rowe, Limerick; Sanborn, Walter.

Yes 129, No 3, Absent 18.

The SPEAKER: One hundred twenty-nine having voted in the affirmative and three in the negative, with eighteen absentees, House Amendment "A" is adopted.

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

Miss CORMIER: Mr. Speaker, I now offer House Amendment "B" and move its adoption, and I would like to make a few remarks.

The SPEAKER: The gentlewoman from Rumford, Miss Cormier, offers House Amendment "B" and moves its adoption.

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

HOUSE AMENDMENT "B" to S. P. 472, L. D. 1337, Bill, "An Act Establishing a Minimum Wage."

Amend said Bill by striking out paragraphs C, D and E subsection III of Section 132-B and inserting in place thereof the following:

'C. Any individual employed as an outside salesman on a commission basis, whose working time and mode of operation are not in any material manner regulated or prescribed by the employer;

D. Any individual engaged in the activities of a public-supported nonprofit organization or in a program controlled by an educational nonprofit organization;

E. Any individual employed as a counselor or junior counselor by

a summer camp for boys or girls under the age of 19 years;'

Further amend said Bill by striking out all of subsection V of section 132-B and inserting in place thereof the following:

"V. "Wages" paid to any employee includes compensation paid to such employee in the form of legal tender of the United States, checks on banks convertible into cash on demand, and also includes the reasonable cost, which shall be consistent with rules and regulations as set forth by the Employment Security Commission, to the employer of furnishing such employee with board, lodging or other facilities if such board, lodging or other facilities are furnished by such employer to his employee and used by such employee. In any occupation in which gratuities have customarily and usually constituted and have been recognized as part of the remuneration for hiring purposes, wages shall also include an allowance for such gratuities in an amount not to exceed 30 cents per hour, provided the employee received in gratuities the amount claimed, and the commissioner may require each employer desiring an allowance for gratuities to provide substantial evidence that the amount claimed was received by the employee.'

Further amend said Bill in that part designated "**Sec. 132-C.**" by striking out the underlined figures "**\$.80**" and inserting in place thereof the underlined figure "**\$1.**"

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

Miss CORMIER: Mr. Speaker and Members of the House: In brief explanation of this amendment I would say that in comparison of the two bills we now both exempt agriculture workers, we now both exempt domestic workers, we now both exempt salesmen on commission, we now both exempt public supported non-profit institutions, we now both exempt educational non-profit organizations, we now both exempt counselors working in summer camps where there are boys and girls under nineteen years of age, we both exempt persons in

commercial fishing and we both exempt public switchboard operators in systems of less than seven hundred and fifty stations.

Now in addition to that, this amendment would restore the following exemptions: it would restore waiters and waitresses, it would restore private nursing employees, it would restore students on all educational levels, it would restore part-time workers employed twenty-four hours a week or less. In other words, this amendment would now include the above people under the Ross bill.

We still feel very strongly that with two many exemptions, with the exemptions offered in the original Ross bill, that the bill would take care of so few people that it would almost be worthless. And consequently we are willing to go along with the dollar minimum wage with these exemptions restored and still the bill would be sponsored by a member of the majority party. When the vote on this amendment is taken, I would ask for a roll call.

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

Mr. GOOD: Mr. Speaker, I would like to ask a question of the gentlewoman from Rumford, Miss Cormier, to clarify something that she said.

The SPEAKER: The gentleman may state his question through the Chair.

Mr. GOOD: The question would be this: Does she mean to say that if this amendment should be adopted that if you employ a student to work for you that he would not come under the minimum wage as set forth in the bill?

The SPEAKER: The gentleman from Sebago, Mr. Good, addresses a question through the Chair to the gentlewoman from Rumford, Miss Cormier, who may answer if she chooses.

Miss CORMIER: The student would come under the minimum wage.

The SPEAKER: Does the gentleman consider his question answered?

Mr. GOOD: I do.

The SPEAKER: The gentleman may proceed.

Mr. GOOD: Mr. Speaker and Ladies and Gentlemen of the House: We now have two bills—I can't help smiling because I love you all. And they both have a minimum wage, that is we have one of a dollar. Now this amendment here would put a dollar minimum on 1337; well, we have already done that. We just had a previous amendment to put a dollar on 1337. And L. D. 154 as originally printed, of course had a dollar on it. Now that fact has been established, you have two bills with a dollar minimum on it. Now we don't need this amendment. Therefore I hope that this amendment is not adopted.

Now you have got two bills—this can be confusing. This takes part of the L. D. 154, which is the so-called MacDonald bill, and would put it into the bill that we are now discussing, into the so-called Ross bill. And you would have a Republican minimum wage law with Democratic provisions. (Laughter)

Now the gentlewoman from Rumford, Miss Corner, says that she doesn't care whether we have a Democratic bill or a Republican bill. So let's have a Republican bill and leave this amendment out. Democrats don't care. The floor leader of the Democratic party says she doesn't care. So that is fine, let's leave the amendment out. We don't care either, so let's go along with the Republican bill.

Now this amendment is lifted under the MacDonald bill and would put it into the Ross bill. Now here is what it would do, paragraph by paragraph.

Paragraph C of course is the present bill we are discussing now, would be changed. Waiters and waitresses would come under — if this was adopted waiters and waitresses would come under the minimum. You would have to pay them a dollar an hour excepting the employer could receive a credit of up to thirty cents an hour for his tips, for the waiters' tips. Well, under the so-called Ross bill the employer can credit the full amount of the tips. Why not? You know a lot of these waiters and waitresses earn a lot more than a dollar an hour in tips. Now if you are only

going to be able to credit thirty cents an hour and the employer has to pay the balance, that is not just.

Paragraph D would make employees of private nursing homes come under the bill. That is the same as in the MacDonald bill.

Paragraph E, if you adopt this amendment under paragraph E, you will have to pay students a dollar an hour. Now that is going to put a lot of students out of work. They won't be able to obtain employment during the summer, because as you know a lot of them are beginners and learners etc.

And, if you want to hire anyone to work for you for less than twenty-four hours in a week, they work twenty hours a week, they will also come under the minimum if you adopt this particular amendment. Now a lot of people like to hire a handyman around, they employ them for twenty, twenty-two hours a week, and they can't get work any place else; they are not worth, we will say, a dollar an hour, but if you adopt this bill here, this amendment, you will have to pay them a dollar an hour. However, after they have worked twenty-four hours during the week then they must be paid the minimum of one dollar an hour.

That long paragraph there, "Wages" — is lifted also entirely out of the MacDonald bill. There is one difference in it and I mentioned that before, and it only gives the credit to the employer of thirty cents in tips an hour regardless of the fact that she may earn or he may earn a dollar and a half or two dollars an hour.

Since it is agreeable with the Democratic party that they don't care which bill they have, I hope that this amendment will not be approved and that the bill that we have in its present form will be presented for adoption.

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

Mr. WADE: Mr. Speaker and Members of the House: As the gentlewoman from Rumford has said, the important thing is not the name on the bill. The important thing in this bill as in other bills is the contents. Many of us feel that the exclusions in L. D. 1337 are the exclusions that we prefer.

I therefore move that House Amendment "B" be indefinitely postponed.

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

The Chair recognizes the gentleman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker and Members of the House: I wish to thank the gentleman from Auburn, Mr. Wade, for clarifying my position. I said at the beginning I didn't care whose name was put on the bill as long as it carried a dollar minimum wage and not too many exceptions, and I still hold to that. I don't think that that is very unusual as I remember the fifteen million dollar bond issue was amended and reduced to thirteen, which was a Democratic proposal. So I don't think that this is unusual. Also, if the gentleman from Sebago, Mr. Good, wishes to place upon the label of the Democratic Party on the legislation that would benefit the working man, I don't mind in the least.

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

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House: Mr. Good, the gentleman from Sebago, has objected to our not including students, and particularly college students, in the exemptions. Certainly these individuals, many of whom must work their way through college, certainly this is not a surprise for most of you here, particularly those of you who have attended Bowdoin College and the University of Maine, and at Bates, these students must supplement what assistance they receive from their homes or from scholarships, by working long and hard during the summer months. We feel that exempting them, these individuals who are in need, is not fair. And I wish to emphasize that we do care and the reason that we do care is why we are proposing this amendment.

I think we have been very fair, apparently both parties have now concurred that the dollar minimum should be enacted. The question

now lies in, should the bill have something substantial in it or watered down to where it will be of little use? This is why we have proposed this amendment. I think that in all fairness the Republican party in this House should go along with us. We are not being unreasonable. It is not unfair in this democratic way of life to compromise. To be sure, they may have been suggested by Democrats; and again the Republican minimum wage law may be enacted. But I think that in all fairness to the people of the State of Maine that we should not adopt the watered down bill, and this is why we have proposed this amendment with no ulterior motives. Our only interest is that of the working people in the State of Maine.

When the vote is taken I request that it be taken by roll call vote.

The SPEAKER: Is the House ready for the question? The gentleman from Old Orchard Beach, Mr. Plante, has requested a roll call. For the Chair to order a roll call the Chair must have the expression of the desire for a roll call from at least one-fifth of the members of the House. Will those who favor a roll call please rise and remain standing.

A sufficient number arose.

The SPEAKER: Obviously more than one-fifth having arisen a roll call is ordered. The Chair will state the question. The question before the House is the motion of the gentleman from Auburn, Mr. Wade that the House indefinitely postpone House Amendment "B" to Senate Paper 472, Legislative Document 1337, Bill "An Act Establishing a Minimum Wage". If you favor the indefinitely postponement of House Amendment "B" you will say "yes" when your name is called, and if you oppose the indefinite postponement you will say "no".

The Clerk will call the roll.

ROLL CALL

YEA — Bacon, Baker, Baxter, Bragdon, Brockway, Brown, Bangor; Brown, Cape Elizabeth; Brown, Ellsworth; Call, Carter, Carville, Caswell, Chapman, Gardiner; Chapman, Norway; Choate, Christie, Clark, Cousins, Cox, Crockett, Dean, Dennett, Dennison,

Dodge, Dumaine, Edmunds, Edwards, Stockton Springs; Emmons, Ervin, Frazier, Good, Graves, Hancock, Hanson, Bradford; Hanson, Lebanon; Hardy, Harrington, Haughn, Hobbs, Hodgkins, Hutchinson, Jewell, Kennedy, Knapp, Knight, Lindsay, Linnell, Mathews, Mathieson, Mayo, Moore, Morse, Parsons, Perry, Easton; Perry, Hampden; Philbrick, Rankin, Rollins, Shepard, Smith, Exeter; Smith, Falmouth; Stanley, Storm, Treworgy, Trumbull, Turner, Wade, Weston, Wheaton, Whiting, Whitman, Williams, Winchenpaw.

NAY — Aliberti, Barnett, Beane, Boone, Briggs, Cahill, Caron, Cormier, Couture, Coyne, Cyr, Augusta; Cyr, Fort Kent; Davis, Westbrook; Dostie, Doyle, Dudley, Dufour, Dumais, Dunn, Earles, Edgerly, Edwards, Raymond; Gallant, Harris, Healy, Hendricks, Hilton, Hughes, Jacques, Jalbert, Johnson, Karkos, Kellam, Kilroy, Kinch, Lancaster, Lane, Lantagne, Lebel, Lemelin, Letourneau, Lowery, Maxwell, Miller, Pert, Pitts, Plante, Porell, Prue, Reed, Rowe, Madawaska; Russell, Saunders, Tardiff, Walls, Walsh, Warren, Young.

ABSENT — Berman, Cote, Curtis, Danes, Davis, Calais; Desmarais, Dow, Heald, Hendsbee, Jewett, Jones, Lacharite, Maddox, Monroe, Nadeau, Pike, Rowe, Limerick; Sanborn, Walter.

Yes 73, No 58, Absent 19.

The SPEAKER: Seventy-three having voted in the affirmative and fifty-eight in the negative, with nineteen absentees, the motion to indefinitely postpone House Amendment "B" does prevail.

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

Mr. HUGHES: Mr. Speaker, I have an amendment, I believe it is being distributed now, if we could recess just a moment until they have been distributed.

The SPEAKER: The gentleman from St. Albans, Mr. Hughes, wishes to offer an amendment which is now being distributed. The House may be at ease for just a moment but please do not leave the hall. The gentleman from Rumford, Miss Cormier, may approach the rostrum.

(Conference at rostrum)

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

Miss CORMIER: Mr. Speaker, I would now move that we recess for ten minutes for us to look at this new amendment. I promise it won't be longer than ten minutes.

The SPEAKER: The gentlewoman from Rumford, Miss Cormier, now moves that the House recess for ten minutes.

House at Ease

Called to order by the Speaker.

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

Thereupon, Mr. Hughes of St. Albans presented House Amendment "C" and moved its adoption.

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

HOUSE AMENDMENT "C" to S. P. 472, L. D. 1337, Bill, "An Act Establishing a Minimum Wage."

Amend said Bill in that part designated "Sec. 132-B" by adding at the end of subsection III the following underlined blocked paragraph:

'H. Any home worker who is not subject to any supervision or control by any person whomsoever, and who buys raw material and makes and completes any article and sells the same to any person, even though it is made according to specifications and the requirements of some single purchaser.'

The SPEAKER: The Chair recognizes the same gentleman.

Mr. HUGHES: Mr. Speaker, this amendment in brief would exempt the home workers, the workers, some of them are elderly women, some of them are women that are taking care of a husband that is, — or other member of the family that is unable to work, and they do earn considerable money by knitting and crocheting and so forth.

I have been down to the Attorney General's office and from their view of the bill, I didn't try out 1337 but on 154 they couldn't see where they were exempt. And on the federal wage bill there were some of these women that were hired or let this work out to other workers that got in quite a mess with the federal

government. Finally I think they had a ruling on it but the Attorney General's office figured that the safe way and the way not to have any complications arise from this would be to have an amendment put on. So I offer this amendment.

The SPEAKER: The question before the House is the motion of the gentleman from St. Albans, Mr. Hughes, that the House adopt House Amendment "C". Is the House ready for the question?

Will those who favor the adoption of House Amendment "C" please say aye; those opposed, no.

A viva voce vote being taken, House Amendment "C" was adopted.

The Chair recognizes the gentlewoman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, now that the amendments — I assume that the amendments have all been presented, I would move that we adjourn until tomorrow morning.

The SPEAKER: Would the gentlewoman defer for just a moment. Would the gentlewoman approach the rostrum.

(Conference at rostrum)

The SPEAKER: The gentlewoman from Rumford, Miss Cormier, now moves that the House adjourn. Will all those in favor of the House adjourning please say aye; those opposed, no.

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

The SPEAKER: Seventy having voted in the affirmative and fifty-four in the negative, the motion does prevail, but the Chair will point out to the House that since no time was specified, under an order adopted earlier in the session, the time of reconvening tomorrow morning is ten o'clock.

The House stands adjourned until ten o'clock tomorrow morning.