

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Ninth Legislature*

OF THE

STATE OF MAINE

VOLUME II

1959  
and  
SPECIAL SESSION  
1960

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

**HOUSE**

Thursday, May 28, 1959

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

Prayer by the Rev. Mr. Alton E. Maxell 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 Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Providing for the Construction of an Electrical Engineering Building at the University of Maine in Orono" (S. P. 150) (L. D. 371)

Came from the Senate read and accepted.

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

**Covered by Other Legislation**

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Providing for Construction of a Women's Dormitory at the University of Maine in Orono" (S. P. 68) (L. D. 118), as it is covered by other legislation.

Report of same Committee reporting same on Bill "An Act Providing for the Construction of a College of Education Building at the University of Maine in Orono" (S. P. 224) (L. D. 610), as it is covered by other legislation.

Came from the Senate read and accepted.

In the House, Reports were read and accepted in concurrence.

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

Report of the Committee on Judiciary on Bill "An Act relating to Licensing and Safety in Operation of Boats" (S. P. 79) (L. D. 151) reporting same in a new draft (S. P. 494) (L. D. 1374) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed as amended by Senate Amendments "A" and "B".

In the House, the Report was read.

(On motion of Mr. Call of Cumberland, tabled pending acceptance of Committee Report and specially assigned for Wednesday, June 3.)

**Ought to Pass with  
Committee Amendment**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Provide Expanded Community Mental Health Services" (S. P. 322) (L. D. 898) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

**COMMITTEE AMENDMENT "A"**  
to S. P. 322, L. D. 898, Bill, "An Act to Provide Expanded Community Mental Health Services."

Amend said Bill by striking out all of that part designated as Section 7 and inserting in place thereof the following:

**"Sec. 7. Appropriation.** There is hereby appropriated from the Unappropriated Surplus of the General Fund the sum of \$25,000 for the fiscal year ending June 30, 1960 and the sum of \$50,000 for the fiscal year ending June 30, 1961 for the purpose of carrying out the provisions of this act.

The money appropriated hereunder shall be apportioned by the Department of Institutional Service in such a manner as to obtain the maximum number of participants consistent with an effective program. Any unexpended balances shall not lapse, but shall remain a continuing carrying account until June 30, 1961.'

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

**Divided Report**

Majority Report of the Committee on State Government reporting

"Ought not to pass" on Bill "An Act relating to Appointment of the Commissioner of Agriculture by the Governor with Consent of the Senate" (S. P. 83) (L. D. 155)

Report was signed by the following members:

Messrs. ROSS of Sagadahoc  
HILLMAN of Penobscot  
— of the Senate.

Messrs. WADE of Auburn  
SANBORN of Gorham  
SMITH of Exeter  
DENNETT of Kittery  
— of the House.

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

Report was signed by the following members:

Mr. LESSARD  
— of Androscoggin  
— of the Senate.

Messrs. BARNETT of Augusta  
PLANTE  
— of Old Orchard Beach  
COYNE of Waterville  
— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.

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

Mr. WADE: Mr. Speaker, I move the acceptance of the Majority "Ought not to pass" Report in concurrence.

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

Mr. Plante of Old Orchard Beach requested a division.

The SPEAKER: Will those who favor the acceptance of the Majority "Ought not to pass" Report in concurrence please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-nine having voted in the affirmative and forty-one having voted in the negative, the Majority "Ought not to pass" Report was accepted in concurrence.

#### Divided Report

Majority Report of the Committee on State Government reporting

"Ought not to pass" on Resolve Proposing an Amendment to the Constitution for Appointment of Secretary of State by the Governor with Consent of the Senate (S. P. 84) (L. D. 156)

Report was signed by the following members:

Messrs. ROSS of Sagadahoc  
HILLMAN of Penobscot  
— of the Senate.

Messrs. WADE of Auburn  
SANBORN of Gorham  
SMITH of Exeter  
DENNETT of Kittery  
— of the House.

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

Report was signed by the following members:

Mr. LESSARD  
— of Androscoggin  
— of the Senate.

Messrs. PLANTE  
— of Old Orchard Beach  
BARNETT of Augusta  
COYNE of Waterville  
— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.

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

Mr. WADE: Mr. Speaker, I move the acceptance of the Majority "Ought not to pass" Report in concurrence.

The SPEAKER: The gentleman from Auburn, Mr. Wade, moves the acceptance of the Majority "Ought not to pass" Report in concurrence.

Miss Cormier of Rumford requested a division.

The SPEAKER: Will those who favor the acceptance of the Majority "Ought not to pass" Report in concurrence 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-one having voted in the negative, the Majority "Ought not to pass" Report was accepted in concurrence.

#### Divided Report

Report "A" of the Committee on State Government on Resolve Pro-

posing an Amendment to the Constitution to Provide for Election of Members of the Executive Council (S. P. 356) (L. D. 1011) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. HILLMAN of Penobscot  
ROSS of Sagadahoc  
— of the Senate.

Messrs. SMITH of Exeter  
DENNETT of Kittery  
WADE of Auburn  
— of the House.

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

Report was signed by the following members:

Mr. LESSARD  
— of Androscoggin  
— of the Senate.

Messrs. PLANTE  
— of Old Orchard Beach  
BARNETT of Augusta  
COYNE of Waterville  
SANBORN of Gorham  
— of the House.

Came from the Senate with the Reports and Resolve indefinitely postponed.

In the House: Reports were read. The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Wade.

Mr. WADE: Mr. Speaker, I move that the House concur.

The SPEAKER: The gentleman from Auburn, Mr. Wade, moves that the House concur in the indefinite postponement of both Reports and the Resolve.

Mr. Cyr of Augusta requested a division.

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

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House: I think those of us who signed the "Ought not to pass" Report should clarify our reasons for doing so. At first we are happy to see that so many members of the loyal opposition have apparently by the Report objected to the present method of selecting members to the Governor's Council. However, it would be inconsistent for us to first urge that

this eighteenth century star chamber be abolished, and then to say that they should be selected. We object to the present method of selection. However, we feel that the Council is not needed whether it is appointed by members of the Legislature or election. And this is why we signed the "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 Auburn, Mr. Wade, that the House concur in the indefinite postponement of both Reports and the Resolve. Will those who favor the motion to indefinitely postpone please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Ninety-three having voted in the affirmative and sixteen having voted in the negative, the motion to concur in the indefinite postponement prevailed.

#### Non-Concurrent Matter

Bill "An Act relating to Parking in Municipalities" (H. P. 860) (L. D. 1228) which was passed to be engrossed in the House on April 8.

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 relating to Hours of Selling Liquor" (H. P. 120) (L. D. 175) which was passed to be engrossed in the House on March 25.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mrs. CHRISTIE: Mr. Speaker, I move we adhere to our former action whereby we passed this bill to be engrossed.

The SPEAKER: The gentlewoman from Presque Isle, Mrs. Christie, moves that the House adhere.

The Chair recognizes the gentleman from Bath, Mr. Mayo.

Mr. MAYO: Mr. Speaker, I move that we recede and concur.

The SPEAKER: The question now before the House is the motion of the gentleman from Bath, Mr. Mayo, that the House recede and concur. A division has been requested. Will all 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.

Sixty having voted in the affirmative and fifty-three having voted in the negative, the motion to recede and concur prevailed.

#### Non-Concurrent Matter

An Act to Authorize the Construction of a Causeway Connecting Cousins Island with Littlejohns Island, and a Bridge and Causeway Connecting Littlejohns with Chebeague Island (H. P. 145) (L. D. 201) which was passed to be enacted in the House on May 19, and passed to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" on May 13.

Came from the Senate having failed on its passage to be enacted in that body.

In the House: On motion of Mr. Call of Cumberland, the House voted to insist on its former action.

#### Non-Concurrent Matter

An Act to Continue the Citizens Committee on Survey of State Government (S. P. 321) (L. D. 897) which failed passage to be enacted in the House on May 13, and ordered placed on file, and on which a motion to recede and pass to be enacted was lost on May 19, and which was passed to be engrossed on May 6.

On May 8 the Bill failed passage to be enacted.

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

In the House:

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

Mr. WADE: Mr. Speaker, I move that the House recede and concur.

The SPEAKER: The gentleman from Auburn, Mr. Wade, moves that the House recede and concur.

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

Mr. JALBERT: Mr. Speaker, this amendment reviving this measure comes from the other branch, calls for the continuation of the Citizens Committee. However, it states that the Committee will consist of not more than forty members. It states that the Speaker of the House shall appoint ten members, the President of the Senate shall appoint ten members, and the Governor shall appoint other members representative of the general public and shall designate a chairman. Any vacancy shall be filled in like manner. It doesn't state as to whether a vacancy exists that was appointed by the Speaker; it doesn't state if there is a vacancy existing it be appointed by the President of the Senate or by the Governor specifically who would replace. That, however, is of minor importance. I am not a member of the Citizens Committee. I do not intend to be a member of the Citizens Committee. But if I were I would want to be appointed by the chief executive of the state like other commissions. If you ever talked about door-openers, this is it coupled with the fact that this is a positive insult to the members of the present committee, it is an insult to the Committee itself.

As far as the Speaker of the House is concerned and the President of the other branch, I certainly hold them, both sides, in respect, possibly I am not agreeing with them as they wouldn't with me all the time on different issues. That is not the point. The character of neither the Governor or the President of the Senate or the Speaker of the House is on trial here. I have fought for this Committee. I have fought for it at first because I felt we spent so much money on the Jenkins report, it should be looked into carefully. We couldn't get two-thirds through the cooperation of a man in front of me, I stuck on all the gimmicks that I could find to revive it, killed and revived again. This time I will move the indefinite postponement of this measure, its report, its bill and accompanying papers.

The SPEAKER: The Chair would advise the gentleman from Lewiston, Mr. Jalbert, that in a non-concurrent matter a motion to recede and concur takes precedence, but that if the motion to recede and concur should fail the proper motion would then be to adhere.

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

The SPEAKER: The question before the House is the motion of the gentleman from Auburn, Mr. Wade, that the House recede and concur.

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

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

The SPEAKER: A division has been requested.

The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker, Ladies and Gentlemen of the House: This is, as the gentleman from Lewiston has pointed out, quite a change from the original Citizens Committee bill. However, I think the spirit of the thing is the same as that gentleman pointed out and that is the point of reviewing the material that the State spent money to have developed for them in the matter of the report developed by the P.A.S.

The fact that there are twenty legislative members, I think is perhaps a constructive move in that one of the problems, with the material that the Citizens Committee has brought out, has been to a certain extent a lack of understanding perhaps or a feel of the background by many of those in the legislature, and with twenty legislative members on the Committee it seems to me that perhaps there will be quite a bit better understanding of its work and that perhaps the Committee itself will address its work more along the lines of things that legislators know by their experience in the Legislature are things that perhaps need to be done or the branches of the Legislature would like to have done.

The gentleman from Lewiston has mentioned that this change is an insult to the present members of the Committee and I don't think that any of them would take it on that basis, particularly since it is a complete redoing of the Committee, a complete reapportionment of its membership between the Legislature and the citizens and to make that complete reapportionment it would be necessary to discontinue the old membership and start out a new one, and therefore I think the purposes of the Bill are being met, and I hope that we go along with the motion of the gentleman from Auburn, Mr. Wade, to recede and concur.

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

Mr. KNIGHT: Mr. Speaker, I voted in favor of the continuance of the Citizens Committee. I believe that this body here should do all in its power to keep the citizens' interest in government alive and give the citizens of the State of Maine an active part in government. I cannot see the Citizens Committee being discontinued and whereas the previous bill without its amendment was defeated, I now feel that this amendment is a fair one. It would encourage active participation by citizens in formulation of our laws, and for that purpose I feel that we should strongly urge passage of this — or rather that we should go along with the other body and recede and concur, and I would move for a roll call vote.

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

Mr. JALBERT: Mr. Speaker, I am not going to make a big issue of this. I would like to assure the gentleman from Pittsfield, Mr. Baxter, that some members of the present Committee have told me that it was an insult. The majority of them belong to his own party. My strenuous objection regardless of the party label of any governor is that this is an infringement upon the executive branch, this art, the legislative branch, to appoint in part and then allow the Governor to appoint, and it is wrong, dead wrong.

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 with respect to Bill "An Act to Continue the Citizens Committee on Survey of State Government", Senate Paper 321, Legislative Document 897, the House recede and concur with the Senate in the passage to be engrossed as amended by Senate Amendment "A".

A roll call has been requested. 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 the members of the House. Will those who desire a roll call please rise and remain standing until the monitors have made and returned the count.

A sufficient number did not arise.

The SPEAKER: Obviously less than one-fifth having arisen, a roll call is not ordered. The Chair will order a division. 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.

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

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

Mr. JALBERT: Mr. Speaker, I now move that we reconsider our action where we failed to recede and concur on this matter and when you vote, vote against my motion.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves that the House reconsider its action whereby it failed to recede and concur. Is this the pleasure of the House?

The motion prevailed.

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

Mr. JALBERT: I move that we adhere.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves that the House adhere. Is this the pleasure of the House?

The motion prevailed.

The following Communication:

STATE OF MAINE  
SENATE CHAMBER

May 25, 1959

Honorable Harvey R. Pease  
Clerk of the House of  
Representatives  
99th Legislature  
State House  
Augusta, Maine  
Sir:

The President of the Senate today appointed the following conferees on the part of the Senate to join in a Committee of Conference on the disagreeing action of the two bodies on

H. P. 852 Joint Order Relative to Directing Legislative Research Committee to Study Insurance Companies

Senators:

WOODCOCK of Penobscot  
CARPENTER of Somerset  
WYMAN of Washington

Respectfully,

(Signed) CHESTER T. WINSLOW  
Secretary of the Senate

The Communication was read and ordered placed on file.

**Orders**

On motion of Mr. Wade of Auburn, it was

ORDERED, that the House of Representatives declares a vacancy to exist in the representation in this House of the class towns of Brooklin, Brooksville, Deer Isle, Sedgwick and Stonington on account of the death of the Honorable Myron F. Shepard, and be it further

ORDERED, that a copy of this Order, certified by the Clerk of the House, be sent to the Governor, the Secretary of State, and the Chairman of the Board of Selectmen of the oldest town in the representative class in which the vacancy exists.

Thereupon, the name of the late Representative Myron Shepard was stricken from the rolls.

On motion of Mr. Wade of Auburn, it was

ORDERED, that the House of Representatives declares a vacancy to exist in the representation in this House of the City of South Portland on account of the death

of the Honorable Henry G. Jones, and be it further

ORDERED, that a copy of this Order, certified by the Clerk of the House, be sent to the Governor, the Secretary of State, and the Chairman of the City Council of the City of South Portland in which the vacancy exists.

Thereupon, the name of the late Representative Henry Jones was stricken from the rolls.

On motion of Mr. Wade of Auburn, it was

ORDERED, that the balance of the regular compensation of a member not paid to the late Myron F. Shepard in his lifetime, be paid to his widow, Mrs. Myron F. Shepard;

AND BE IT FURTHER ORDERED, that the balance of the regular compensation of a member not paid to the late Henry G. Jones in his lifetime, be paid to his widow, Mrs. Henry G. Jones.

The SPEAKER: The Chair will advise the House that the elected membership of the House now stands at one hundred and forty-nine.

Mr. Desmarais of Sanford presented the following Order and moved its passage:

ORDERED, the Senate concurring, that free telephone service be provided after final adjournment of the Legislature, during the remainder of the biennium, for each member of the Senate and House of Representatives, to the number of 25 calls of reasonable duration from and to the State House at Augusta, and that each member of the Senate and House be provided with a card to be certified by the Secretary of the Senate and Clerk of the House, respectively, the cost of this service to be paid to the New England Telephone and Telegraph Company at regular tariff rates. (H. P. 974)

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

Mr. DESMARAIS: Mr. Speaker, would I be in order to briefly address the House?

The SPEAKER: The gentleman would be.

Mr. DESMARAIS: Our constituents back home demand our services, not only during this regular session but more so after we have adjourned. We should give these people all the service possible and when you do that you have to make calls to Augusta on official business. Even if we are representatives to these people, I don't believe that we should be paying all these telephone calls. I think that these people would be getting better service if we did have a telephone card because there are a lot of times when I hesitate to call after they have asked me. One reason is my wife said, "Who is going to pay for these telephone calls?"

I talked with Bob Carnes this morning and he told me that it would be possible for his department to arrange for us to have a telephone card. We would be calling a number at the State House here, the operator would receive our call and would check our call and when you had eliminated your twenty-five telephone calls the operator would say, "Mr. Representative so-and-so, your telephone calls have expired." Thank you.

Thereupon, the Order received passage.

Mr. Dumais of Lewiston presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Legislative Research Committee be, and hereby is, authorized and directed to study the desirability and need for establishing a state program of farm and home purchase aid for Maine veterans financed by bonds issued on behalf of the State; and be it further

ORDERED, that the committee report the results of its study to the 100th Legislature.

The Order failed of passage on a viva voce vote.

On motion of Mr. Edwards of Stockton Springs, it was

ORDERED, that Mr. Perry of Hampden be excused from attendance for the remainder of the week because of business.

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of the

graduating class of the Boston Avenue School at Winslow, accompanied by their Principal, Thelma Lessard. On behalf of the House, the Chair extends to you ladies and gentlemen a most hearty and cordial welcome and we hope you will enjoy your visit with us today. (Applause)

—————

**Passed to Be Engrossed  
Amended**

Bill "An Act Relieving Children and Certain Relatives of Financial Responsibility in Old Age Assistance, Aid to the Blind and Aid to the Disabled" (H. P. 963) (L. D. 1365)

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

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

Mr. KNIGHT: Mr. Speaker, I would now offer House Amendment "A", which is reproduced and on your desks under filing number 424, to this bill.

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

HOUSE AMENDMENT "A" to H. P. 963, L. D. 1365, Bill, "An Act Relieving Children and Certain Relatives of Financial Responsibility in Old Age Assistance, Aid to the Blind and Aid to the Disabled."

Amend said Bill by striking out all of sections 4, 9 and 14.

Further amend said Bill by striking out all of section 5 and inserting in place thereof the following:

"Sec. 5. R.S., c. 25, Sec. 294 amended. The first sentence of the 2nd paragraph of section 294 of chapter 25 of the Revised Statutes is amended to read as follows:

"The commissioner is authorized and empowered to shall bring proceedings in the name of the State of Maine in any court of competent jurisdiction to compel any person who in the opinion of the commissioner is liable under the provisions of this section for support to contribute to the support of any person who is receiving, or who has applied and is otherwise eligible for, public assistance."

Further amend said Bill by renumbering the sections of the Bill to read consecutively.

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

Mr. ROWE: Mr. Speaker and Members of the House: I am very sorry but I am going to have to disagree with the good gentleman from Rockland, Mr. Knight, and whose friendship we began at Union Fair last summer somewhere down the trotter section. I am going to move indefinite postponement and I would like to speak briefly to the motion.

The SPEAKER: The gentleman may proceed.

Mr. ROWE: House Amendment "A" has this effect here, it is originally in substance the Bill that the gentleman from Rockland, Mr. Knight, presented before the Welfare Committee and which he withdrew. If I can recapitulate that hearing, there was no proponent of the Bill which Mr. Knight presented before the public hearing. People both from Rockland and from Owl's Head who appeared at that public hearing and were going to speak in favor of this type of thing here refused to do so and for these reasons, House Amendment "A" would cost identically the same as the Bill which it is amending, plus it would cost more. In other words, it is not going to effect any savings, and in effect its administration is going to cost the State of Maine more money than the original Bill, and for these reasons here assuming that the Welfare Department makes the determination that this child is capable of support given the income and assets schedule that they use there, then the child, the adult child would be taken into court and the court then would make the determination whether the child is able to support. If the child is determined by the court as not being able to support there, then the Welfare Department must foot the administrative cost of the court proceeding, number one. If the child is considered capable of support then the money which has been given the aged recipient, seventy-two per cent of that money is federal matching funds and must be returned to the federal government, the remaining

twenty-eight per cent goes back to the state. It was the opinion of the Welfare Department after giving this long thought that the two bills that were presented before the Welfare hearing would cost identically the same, but that Mr. Knight's bill would cost the state in effect more money.

All the letters and all the opinions statewide that I have received on this, the heart of the whole matter and the heart of the whole Bill, there would not be any problem at all, the people receiving assistance today, except that Maine parents do not take their children into court and bring court proceedings against them. Now under this amendment before a needy aged parent would be granted assistance they would have to give permission to the Welfare Department and be informed of their consequences that their adult child may be taken into court and sued for support. If that permission is not granted, the Welfare Department would not grant assistance. All the letters, all the telegrams all pointed to the fact, and I know that there is no member of this House here and I would ask you to examine your conscience whether or not you would permit any state agency to bring court proceedings against your child for support. Therefore because this amendment, number one would cost the state to administer more money, and because it takes the heart out of the bill, and because it subjects, again we are back to the same problem of subjecting our aged people to the social indignities and the procedure of the courtroom, I hope that you will again make your wishes clear and your duty as you did yesterday.

The SPEAKER: The gentleman from Madawaska, Mr. Rowe, has moved that the House indefinitely postpone House Amendment "A".

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

Mr. KNIGHT: Mr. Speaker, Ladies and Gentlemen of the House: The Bill that I introduced before the Health and Welfare Committee did nothing more than strike out Roman VI which you will find on the first page of L. D. 1365. That there took away the requirement that the applicant for old age as-

sistance must have no child or children residing in this state and able to support him. I left in the part of the law that requires financial statements and investigation by social workers. I left in the complete law.

What I offer you now through Amendment "A" has no semblance whatsoever to the original Bill that was put in, and I will briefly explain to you what this amendment does. Strike out section four. If you will look at section four you will find that all section four does is give the Department of Health and Welfare permission, it is not mandatory, it is just permission to recover from any child, children or spouse the money that they have given if that person is able to provide support. The next thing in the Amendment says strike out section nine. All section nine does is once again give the Department the right to recover. It says the Department may — there is nothing there that enforces or makes the Department do it, it just says the Department may, and then striking out section fourteen, if you will look at section fourteen you will find it says once again the Department may recover from any adult child, children, etc. who is able to support. Then the last of it, it says the Commissioner shall bring proceedings in the name of the state to compel any person who in the opinion of the Commissioner, it leaves it purely up to the Commissioner to determine if the person is able or not. If there is any doubt in the Commissioner's mind he does not have to do a thing. The parent does not have to come into court. The parent is not even a party to the action. All it simply says is that if the child has a parent who is a recipient of Old Age and that child is well able to support the parent, then by gosh the child should support the parent and not the state.

I urge you to vote against the motion of the gentleman from Madawaska to indefinitely postpone this amendment.

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

Mr. PHILBRICK: Mr. Speaker, I wish to address a question through

the Chair to either of the two gentlemen, Mr. Knight of Rockland or Mr. Rowe of Madawaska.

The SPEAKER: The gentleman may state his question.

Mr. PHILBRICK: I would ask them precisely which new tax do you propose to pass in order to pay for this bill?

The SPEAKER: The gentleman from Bangor, Mr. Philbrick, has addressed a question to either the gentleman from Rockland or the gentleman from Madawaska who may answer if they choose.

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

Mr. KNIGHT: Mr. Philbrick, I prefaced my remarks yesterday by stating that the big "if" was if the money was available, and I was assured that it looked as though the money would be available. I did not question where it would come from, and I am as curious as you are as to where this money will come from.

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

Mr. ROWE: Mr. Speaker and Members of the House: I can only answer the question in this way here that it will stand on the L. D. calendar in the Senate the same as all other bills, and if the money is available, and it appears that it may be, but that is still a determination which our House and Senate members must make, but until that time it will lie upon the table in the Senate.

The SPEAKER: The question before the House is the motion of the gentleman from Madawaska, Mr. Rowe, that the House indefinitely postpone House Amendment "A".

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

Mr. STORM: Mr. Speaker and Members of the House: I am very much in favor of this amendment. Yesterday I spoke against the passage of the Bill because it would remove all the teeth out of the existing law. This amendment puts some of those teeth back, and places them where I believe that they can be effective which has not been true of the law that we have been working under. As the gentleman from Rockland has

pointed out, this directs the Commissioner to take action. Under the old setup the parents involved had to be the ones to make the complaint and start the action, and obviously that was not practical and did not work out. We believe that this would work and it certainly would save the state some money where they could collect from the children who were able to participate in the support of their parents. I certainly hope that the motion to indefinitely postpone this amendment does not prevail.

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

Mr. REED: Mr. Speaker, I would just like to say a few words on this. It was my opinion at the hearing that the Commissioner of Health and Welfare was more or less against it. This puts the Commissioner in a precarious position. First of all he has either got to make every child pay. He has got to set up some sort of a standard, and he's got to do it with every one. Now if he does that then he has got to keep the present system going of his research and search. That is one of the big expenses is to try to find these children who are under the present law liable, and I can't see any real sense to change the present law if this amendment should be passed.

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

Mr. KNIGHT: Mr. Speaker, this amendment leaves it purely up to the wisdom and opinion of the Commissioner. If nothing has come to the attention of the Commissioner that there is a child who can support, the Commissioner is not obligated in any way, shape or manner to go out seeking or searching for that child. As to whether the person or child is able to support, the test is a test of the Commissioner and the Commissioner alone. He is not obligated in any way to seek or find.

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

Mr. BRIGGS: Mr. Speaker, I don't see that that is true, the remarks that were just made by the good gentleman from Rockland, Mr.

Knight. The way I read this amendment it says "the Commissioner shall bring proceedings in the name of the State of Maine in any court of proper jurisdiction to compel any person who in the opinion of the Commissioner is liable under the provisions of this section." Now probably the Commissioner shall have to determine who is liable, and in his own mind if that party is liable, bring suit in order to fulfill this amendment. If he did not do that he probably would be in dereliction of his duty, duties as the Commissioner. This can be interpreted both ways and probably would be quite a bone of contention. Therefore I hope that this amendment does not prevail.

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

Mr. WINCHENPAW: Mr. Speaker, a few days ago I thought this was not a bad bill but the more we study it, I think it is a pretty bad bill, and there is one question I would like to have cleared up. I can't understand the thinking that any federal money that had already been granted to the state and had been used once would have to be turned back to the federal government. I can't quite reconcile that procedure, that if we granted we'll say \$100,000 in old age assistance and the federal government has given us \$50,000 and then some of this collected by the court, what is collected by the court would seem so be returned to the Treasurer of the State to be used over again by the Health and Welfare Department. That part disturbs me, and another thing that is bothering me, I went to a social gathering the other night and there was a gentleman there that was pretty well off that was quite interested in this bill, and I am not sure whether we should pass this bill or not.

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

Miss CORMIER: Mr. Speaker, I would ask a division.

The SPEAKER: A division has been requested.

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

Mr. LANE: Mr. Speaker, Members of the House: We have a law on our statutes if parents don't take care of their children the first thing they do is they lock them up in jail. Parents have to work day and night to support their children. Now what happens after they grow up? Some become professional men, some get good jobs, the first thing they become four hundred, they don't want to take care of their parents, and I say it is a duty and it is a must of every child to take care of their own parents if they can afford it. Thank you.

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

Mr. COUTURE: Mr. Speaker and Members of the House: When we took action on this bill yesterday, I happened to be called in by a woman of seventy-two years of age last night at her home that her pension had been cut down \$15 per month. I am to go to the Commission this afternoon if I have a chance on this case. The case of this elderly woman, there were three in the family. She lost her husband. She also lost her two sons in the war. She was left with one daughter. Her daughter is married and has a family of five children. Her husband was to go to the hospital to be operated on. She has finally got herself a job to take care of the family while her husband would be in the hospital to be operated on. For into the investigations of the Department they found out that both he and she had worked the year before. He had earned \$2,300. She had earned \$1,900. Her husband was in the hospital for a period of three weeks, was out of work for the period of two months, and still has a family to support, but through the investigation of the earning of close to \$4,000 in her family, they have cut down the pension of the mother of \$15 a month, and that was the only child that she has left in this world. She is seventy-two.

Other cases that came in that we have worked in, just about two months ago I worked on a case that the son had to take care of the elderly people again. Because they own a house, yet he had paid \$3,000 and by paying a house that

you pay as you go along just like paying the rent to an individual. He had earned \$3,300 that year, has three children and his wife to support. Still they cut the pension of that elderly woman. In a good many occasions in the past the old people have suffered and the pride of themselves certainly will never take the food away from their grandchildren to be able to support themselves went to bed hungry and cold all over your State of Maine here, and I felt that this bill was the proper bill to pass in this state and certainly I will not go along with this amendment, and I am hoping that this amendment will not prevail.

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

Mrs. CHRISTIE: Mr. Speaker and Members of the House: I am not in agreement with the idea of relieving relatives of the responsibility of the care of their families. Many people perhaps may be thinking that there are suffering people because of this law which is now on the books, but I feel that if there is injustice anywhere there can be remedy for that injustice through an appeal. I am in agreement with the gentleman from Waterville in regard to the feeling that children should be responsible for their parents. I move indefinite postponement of this bill and all accompanying papers.

The SPEAKER: The Chair will have to advise the gentlewoman from Presque Isle that the motion as to House Amendment "A" is the pending question.

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

Mrs. HENDRICKS: Mr. Speaker and Members of the House: Many of our old people are ill - clothed, ill-fed and ill-housed and they receive very little medical care, and here we are arguing just what we want to do for them. Many of them end up in the Augusta State Hospital and other mental hospitals because of the stress and strain they have to go through. I think that if we passed this bill unamended we could really do something to help them. I believe that the Court proceedings that will be a result of this amend-

ment will cost the State much more if it is passed and I hope the amendment is not passed.

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

Mr. BRAGDON: Mr. Speaker, I believe that this is a good amendment. In the first place I have a great deal of confidence in our Courts. In the second place, I do not and never have favored the thought of the State taking care of elderly people whose children were perfectly capable of doing this for them. I believe that this will have a definite tendency to prevent any person seeking to seek old age assistance when they know that the children are perfectly capable of doing this. I think that this amendment is something that we have needed for a long time, I believe it will work and I am definitely in favor of it.

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

Mr. KENNEDY: Mr. Speaker and Ladies and Gentlemen of the House: Yesterday afternoon I supported this bill having the full knowledge that the gentleman from Rockland, Mr. Knight, was to offer an amendment to the bill. I was in agreement with the amendment and I am in agreement with it now. I do not feel that total lack of responsibility of children should be deleted from the bill. I believe that this is a good amendment.

I have been a selectman in my town off and on a good many years and I have seen these distress cases thrown back on the Welfare Department and I say it is a disgrace to the State of Maine. Now under this amendment as presented by the gentleman from Rockland, Mr. Knight, the responsibility is thrown upon the Commissioner to institute proceedings against the relatives of the aged person whereas the old law the parent must institute proceedings. I think this is a fair amendment and I will vote for it if the amendment is still attached. There might be other means of taking care of this situation of raising the income of the child, and if this was tabled and another amendment brought in I probably would sup-

port that, but I cannot support the bill without the amendment.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I think this is a very bad amendment and we might just as well kill the bill as to put this thing in because I don't see how it would work. I want to ask each and every one of you to consider for a moment the position that you are placing the Commissioner in. How would you like to be the Commissioner and be placed in this terrible position that you have got to take someone to Court? Why that is so ridiculous that I can't understand how anybody would think of such a thing. I know if I were Commissioner and I believe if everyone here, anyone of you were Commissioner, you would resign at once if you had to do this sort of thing.

Now I am quite sure that these people who want this amendment put in here, I am quite sure that each and every one of them are pretty well to do themselves, and they are pretty well to do themselves because their parents started them on the road to prosperity. Now everything that we have in this State and everything that we hope to have is due to our parents, to our forebears. This State House and all these wonderful things we have here are due to the elderly people as well as to ourselves and much more so to the elderly people because they were here and hewed down the woods and tilled the soil and built the boats and made the State of Maine what it is today, and today our federal government is spending billions taken out of you, you people out of your income tax, the lowest that they take out is twenty-two per cent, from that to ninety-five per cent of your income and sending it over in Point four. Did you ever find out what Point four is? Well you want to make a study of this, it is billions going out to help poor people and other people that are not poor in other lands and also in our land. And here we sit and argue at this late date, when we should be home tending to our business, that we

don't want to take care of our own. How ridiculous can we be?

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

Mr. HEALY: Mr. Speaker and Ladies and Gentlemen of the House: I just want to suggest that with social security absorbing or taking up the old age assistance and so many people coming into it that this thing will be relieved as time goes on and the social security will take over. That's all I have to say, and I sincerely hope that the amendment of the gentleman from Rockland, Mr. Knight, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Mayo.

Mr. MAYO: Mr. Speaker and Members of the House: I had no original intention of getting into this argument this morning, but after reading this amendment I rise to support the gentleman from Rockland, Mr. Knight. I would like to express one reason why I would like to support it. Earlier in this session I had quite a lot of discussion with the Health and Welfare Department on some personal things, and while talking with two of the lawyers attached to the Health and Welfare Department they showed me a set of very amazing figures. During 1958 due to Court proceedings these two lawyers had saved the State of Maine approximately \$800,000. Now I am quite sure that if we have such an amendment as this attached to this present bill whereby the Commissioner must look into some of these parents who are shirking their duties, I feel that possibly eventually these two lawyers or even more lawyers attached to that Department will save the State of Maine many more thousands of dollars. I therefore will support this amendment.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Knight, but must remind the gentleman that he has spoken twice and must have the consent of the House to speak again.

Thereupon, on a viva voce vote Mr. Knight of Rockland was granted permission to speak again.

Mr. KNIGHT: Mr. Speaker, first I would like to thank the gentleman from Bowdoinham, Mr. Curtis, and

I assure him that I am a Republican but I have never been classified as a well to do Republican. Second, I do not offer this amendment in any way, shape or manner to kill this bill. I wish for liberalization of our old age program, and I do not want it thought that this is an attempt to kill the bill of the gentleman from Madawaska, Mr. Rowe. Mr. Couture gave certain examples of people in his area that needed assistance. Under this amendment they would receive the assistance. This does not stop the assistance nor does it slow down the person in receiving it. The only thing it would do is in cases of gross injustice it would allow the State through the Commissioner to recover a little of the fee that has been expended to our elderly people.

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

Mr. COUTURE: Mr. Speaker, I would like to ask a question to any member of the Welfare Committee. How much of the earnings of a married couple, how much they are entitled to earn before they become obliged to support parents?

The SPEAKER: The gentleman from Lewiston, Mr. Couture, has addressed a question through the Chair to any member of the Welfare Committee who may answer if he chooses. The Chair recognizes the gentleman from Sherman, Mr. Storm.

Mr. STORM: Mr. Speaker, I can't answer that question exactly in dollars and cents, but it is based on a sliding scale depending on the earnings of the persons involved plus or depending on the number of the persons in his own family who have to be supported from those earnings.

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

Mr. COUTURE: Mr. Speaker, the question was practically answered there, but the question is how much a son and his wife are entitled to earn without any dependents before he becomes obliged to support his parents?

The SPEAKER: The gentleman from Lewiston, Mr. Couture, has addressed a question through the Chair to any member of the House

who may answer if he can and chooses. The Chair recognizes the gentleman from Anson, Mr. Hilton.

Mr. HILTON: Mr. Speaker, this case I was involved in does not apply to old age recipients. However, it is, this daughter is totally disabled and I helped restore a pension that was taken away from her by the Welfare Department after these pensions were turned over to the Welfare Department, and in this case, this couple, the man and the wife, the man was allowed to earn \$4600 and he lacked a small amount of earning that \$4600 and the Welfare Department did restore the pension which was much greater than it was when the Legislature granted her the pension.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentlewoman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: I would just like to remind the House of this one thing, the Health and Welfare Department will be the collection agency if this amendment goes through, and it is their opinion that this will cost them more money with this amendment.

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

Mr. DESMARAIS: Mr. Speaker and Members of the House: I will make it very brief. I was on a case last week for one of my constituents from Sanford. This lady was living with her daughter who is blind. She was receiving \$65.00 a month for old age assistance from the State. Her boy, her only son, filed in his report of his earnings for the year he had earned \$3900 for 1958. The Welfare Department saw it fit that this boy here could support his mother so they cut her pension down from \$65.00 to \$2.00 a month. I wanted to know the reason why the \$2.00 was left in, I thought it was an insult, but it wasn't, it was to allow this lady to receive medical aid. She had had one leg cut off two years ago and two weeks ago she had had the other leg cut off. She is seventy-seven years old and the Welfare Department said that this boy, her boy could support his mother, and this boy's wife is a sick woman, but still the Welfare Department cut

her pension down from \$65.00 to \$2.00 a month.

The SPEAKER: The Chair must remind the gentleman from Lewiston, Mr. Couture, that he has already spoken twice and must have permission of the House to speak again.

Mr. COUTURE: I just would like to ask a question of the Chair.

The SPEAKER: The gentleman may state his question.

Mr. COUTURE: Would it be in order to table this until later on in the day when this motion—

The SPEAKER: A tabling motion would be in order.

Mr. COUTURE: Mr. Speaker and Members of the House: I would like to table this until later on in the day to try to get in touch with the Welfare Department and find out what —

The SPEAKER: The gentleman is debating a tabling motion. The Chair will state the motion which is the motion of the gentleman from Lewiston, Mr. Couture, that this bill be tabled and specially assigned for later in today's session pending the motion of the gentleman from Madawaska, Mr. Rowe, that House Amendment "A" be indefinitely postponed. Will those who favor the tabling motion please say aye; those opposed, no.

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

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I feel as though I should vote for this amendment for this reason, I don't believe the State can afford this piece of legislation without the amendment, and I give this as an example. For sometime I paid a considerable amount of money to take care of my mother-in-law and I know a lot of people in my area that earn very small money but they do have a lot of pride, they have never asked for a pension for their elderly people. Now I know if we pass this bill without this amendment I am afraid there will be so many that will apply for it that the cost will be prohibitive, and I can just sit here and I can picture as many as ten or a dozen in the little area that I represent where

the people actually at the present time are entitled to a pension for their elderly people but they feel they will support their elderly people and go without themselves, and for that reason I am afraid there would be too many apply under this bill without the amendment, and I hope the amendment does prevail.

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

Mr. REED: Mr. Speaker, just a couple of brief comments. First of all it has been stated here that two lawyers for the Health and Welfare Department in this particular category saved the State \$800,000, and the total of the whole bill has been estimated by them I believe yesterday it was stated around \$800,000 that this whole bill would cost, so I would say something is wrong. Either one figure or the other is off, and secondly, I think we are talking about—the proponents of the amendment are talking about two different things, and I would like to ask, maybe it would be answered and maybe not, what a gross mistreatment would be? Now would a gross mistreatment be related directly to the scale sheet that the Health and Welfare Department already has or would it be substantially raised? I feel if it was substantially raised so that a person earning \$6,000 or \$7,000 or \$8,000 should probably help their parents, but if a person is earning \$3,000 or \$4,000 and is forty-five or fifty and has two or three children in high school has to help their parents, I think it is a misjustice.

The SPEAKER: Did the Chair understand the gentleman to address a question through the Chair to anyone?

Mr. REED: Well if anyone would like to answer what a gross mistreatment would be, I would like to have it answered.

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

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

Mr. KNIGHT: I have attempted here to leave to the complete discretion of the Commissioner when an attempt should be made on the part of the State to recover funds for the State. It is completely in the opinion of the Commissioner. An example could be a person dying and leaving an estate of quite a few hundred thousand dollars whose mother has been on old age—has been an old age recipient. It is completely discretionary within the Department of Health and Welfare.

The SPEAKER: Does the gentleman consider his question answered?

Mr. REED: Yes, I believe I do, more or less indirectly. There again I feel as though I would like to have a figure before I could vote for the amendment of what we would consider to be this misjustice.

The SPEAKER: Is the House ready for the question?

For what purpose does the gentleman arise?

Mr. COUTURE: Mr. Speaker, I wish to have the record straight. I have spoken once and I have asked two questions.

The SPEAKER: Is the House now ready for the question?

Mr. ROWE: Mr. Speaker?

The SPEAKER: The Chair believes the gentleman from Madawaska has spoken twice.

Mr. ROWE: May I ask permission of the House?

The SPEAKER: The gentleman from Madawaska, Mr. Rowe, asks permission of the House to speak again. Will those who wish to grant permission for the gentleman to speak again please say aye; those opposed, no.

Thereupon, Mr. Rowe of Madawaska, was granted permission to speak again on a viva voce vote.

Mr. ROWE: Mr. Speaker, I am just going to say this very briefly, if you have any faith in my truthfulness whatsoever, I will put it right on the line, in the opinion of the Welfare Department this amendment would cost equally as much money plus more money for the State to administer. It will not save a penny by putting this amendment on the bill. I hope you will believe me that I am stating the truth and I am stating the opinion of the ex-

pertees in the field. Thank you very much.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Madawaska, Mr. Rowe, that House Amendment "A" be indefinitely postponed and a division has been requested. Will all those who favor the motion to indefinitely postpone House Amendment "A" please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Fifty-eight having voted in the affirmative and sixty-nine having voted in the negative, the motion did not prevail.

Thereupon, House Amendment "A" was adopted.

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

Mr. MILLER: Mr. Speaker, I think that there have been some pretty bad statements made here today and rather confusing to many of us who are members of this House. I think some of these statements that have been made should be checked out here before we send such a worthy piece of legislation on the way. I know there are many of us sitting here who were confused, and I would move that this be tabled until later in the day to check.

The SPEAKER: The gentleman from Portland, Mr. Miller, now moves that this bill be tabled and specially assigned for later in today's session pending the motion of the gentlewoman from Presque Isle, Mrs. Christie, that the bill and all accompanying papers be indefinitely postponed. Will those who favor the tabling motion please say aye; those opposed, no.

A viva voce vote being doubted, on motion of Mr. Miller of Portland, a division of the House was had.

Fifty-seven having voted in the affirmative and sixty-nine having voted in the negative, the motion did not prevail.

The SPEAKER: The pending question is the motion of the gentlewoman from Presque Isle, that this bill be indefinitely postponed.

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

Mr. CURTIS: Mr. Speaker, I request a roll call.

The SPEAKER: The gentleman requests a roll call. Is the House ready for the question? For the Chair to entertain a motion for a roll call the Chair must have the expression of a desire for a roll call on the part of at least one-fifth of the members present of the House. Will those who desire 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 will state the question. The question before the House is the motion of the gentleman from Presque Isle, Mrs. Christie, that Bill "An Act Relieving Children and Certain Relatives of Financial Responsibility in Old Age Assistance, Aid to the Blind and Aid to the Disabled", House Paper 963, Legislative Document 1365, and all accompanying papers be indefinitely postponed.

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

Mr. KNIGHT: I urge you to vote against this motion to indefinitely postpone.

The SPEAKER: The question before the House is on the motion to indefinitely postpone. If you favor the motion to indefinitely postpone you will say "yes" when your name is called, if you oppose the motion, you will say "no". The Clerk will call the roll.

#### ROLL CALL

YEA — Bacon, Baker, Baxter, Brown, Bangor; Brown, Cape Elizabeth; Brown, Ellsworth; Carville, Caswell, Chapman, Norway; Christie, Cox, Coyne, Dean, Dumaine, Dunn, Edwards, Stockton Springs; Good, Hancock, Hardy, Hobbs, Hodgkins, Hutchinson, Linnell, Philbrick, Sanborn, Smith, Exeter; Smith, Falmouth; Turner, Whitman, Winchenpaw.

NAY — Aliberti, Barnett, Boone, Bragdon, Briggs, Brockway, Cahill, Call, Caron, Carter, Choate, Clark, Cormier, Cote, Cousins, Couture, Crockett, Curtis, Cyr, Augusta; Cyr, Fort Kent; Davis, Westbrook; Dennett, Dennison, Desmarais, Dodge, Dostie, Doyle, Dudley, Dumais,

Earles, Edgerly, Edmunds, Edwards, Raymond; Emmons, Ervin, Frazier, Gallant, Graves, Hanson, Bradford; Hanson, Lebanon; Harrington, Harris, Haughn, Heald, Healy, Hendricks, Hendsbee, Hilton, Hughes, Jacques, Jalbert, Jewell, Johnson, Karkos, Kellam, Kennedy, Kilroy, Knapp, Knight, Lancaster, Lane, Lantagne, Lemeelin, Letourneau, Lowery, Maddox, Mathews, Mathieson, Maxwell, Mayo, Miller, Monroe, Morse, Nadeau, Parsons, Perry, Easton; Pert, Pike, Pitts, Plante, Porell, Prue, Rankin, Reed, Rollins, Rowe, Limerick; Rowe, Madawaska; Saunders, Stanley, Storm, Tardiff, Treworgy, Trumbull, Wade, Walls, Walsh, Walter, Warren, Wheaton, Whiting, Young.

ABSENT — Beane, Berman, Chapman, Gardiner; Danes, Davis, Calais; Dow, Dufour, Jewett, Kinch, Lacharite, Lebel, Lindsay, Moore, Perry, Hampden; Russell, Weston, Williams.

Yes 30, No 101, Absent 17.

The SPEAKER: Thirty having voted in the affirmative, one hundred and one in the negative, and seventeen absent, the motion to indefinitely postpone does not prevail.

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

The SPEAKER: At this time the Chair will recognize the presence in the gallery of the House of a group of fifty students from the History Class of Waldoboro High School accompanied by Robert Green their instructor; also a group of students from the Sisters of St. Joseph's St. Rose of Lima School of Chisholm, Maine. On behalf of the House the Chair extends to all you ladies and gentlemen a most hearty and cordial welcome and we hope you will enjoy and profit by your visit here today.

(Applause)

The SPEAKER: The Chair will now declare the House in recess for ten minutes. Please be back in your seats in ten minutes.

**After Recess  
10:50 A.M.**

The House was called to order by the Speaker.

(Off Record Remarks)

The SPEAKER: We are proceeding under Third Readers, item two.

**Third Reader  
Amended**

Bill "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for Fiscal Years Ending June 30, 1960 and June 30, 1961 and Authorize a General Fund Bond Issue in the Amount of Six Million Dollars" (H. P. 973) (L. D. 1384)

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

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

Mr. STANLEY: Mr. Speaker and Ladies and Gentlemen: I would like to offer House Amendment "A" to L. D. 1384. It is printed as L. D. 1385. The purpose of this Amendment is to bring down the amount of bond issue which is proposed in L. D. 34 from six million dollars to be paid off at no specified time to a three million dollar bond issue to be paid off in six years. We have cut back L. D. 1384 from an eleven million dollar capital improvement program to an eight million dollar capital improvement program. Some of the cuts have been made in the fourth million. Anything above the eighth million has been deleted. Just for a little bit of history, the capital improvement program has come from the presentation by the Bureau of Public Improvements to the Budget Advisory Committee in which they had requests for some thirty-six million dollars of capital improvements. When the Governor made up his budget he included twelve million six hundred and thirty thousand dollars for capital improvements. These went along with the priority listings as listed by the Bureau of Public Improvements.

In the Committee we discussed these various improvements, and the Committee came out with a bill L. D. 1384 which as I have said

before is an eleven million dollar capital improvement program. The majority report was signed by seven members, the minority report by three members. The fact that the three members signed an ought not to pass report does not mean that we are against any capital improvements. It means that we do not agree with the eleven million dollar program. So you have before you L. D. 1385 which strikes out many of the proposals in L. D. 1384. It changes the bond issue from six million to three million, and it changes the term of the bond issue from an indefinite time to six years. The only other real change between the two bills is the fact that the Home Economics and Science Building at Farmington State Teachers' College has been put into Chapter A in 1385 but formerly it was in Chapter B in 1384. This would mean that we would build in Chapter A of the bill, we have assumed that there will be five million dollars in the unappropriated surplus for capital improvements so Chapter A will take, we have made allowances in there to take up to five million dollars from unappropriated surplus and then a bond issue of three million dollars to take care of Chapter B.

At this time when we should not have new taxes imposed, at a time when we have been in a little recession, at a time when construction is at an all time high, it would be my impression that we would not want to do as much construction as has been anticipated. I think for the good of the state all over, for all of the people that the program presented in 1385 is a more realistic and a more practical program for the State of Maine. I would move the adoption of House Amendment "A."

The SPEAKER: The gentleman from Bangor, Mr. Stanley, offers House Amendment "A" to L. D. 1384 and moves its adoption. The Clerk will read the Amendment.

House Amendment "A" which is Legislative Document 1385, was read by the Clerk (See L. D. 1385)

The SPEAKER: The pending question is on the adoption of House Amendment "A".

The Chair recognizes the gentlewoman from Rockland, Miss Cormier.

Miss CORMIER: Mr. Speaker and Members of the House: I think to clarify matters it would be a good idea to take L. D. 1384 and show exactly what has been cut out. By taking L. D. 1384, on page three the first item under Fort Kent State Normal School, the demolition of Cyr Hall has been crossed out. On page four under the Finance and Administration, Department of Bureau of Public Works, the removal of the shirt factory and renovations of the State House has been cut out. On page six under State Park Commission, Crescent Beach Land Acquisition has been crossed out, also the Expansion of Camden Hills State Park and the work and the recreation at Camp Sebago has been crossed out. On the top of page seven under State Police, the addition to headquarters has been crossed out. On page eight under the Adjutant General's Department, the Saco Armory, the Bath Armory, the gun pit light and the driveway, the gun pit light under the Brunswick Armory and the driveway under the Rumford Armory has been cut out. On page nine Oil Conversion has been cut out.

Under the Department of Agriculture, Shop and Storage has been cut out. Under Civil Defense and Public Safety, a warehouse has been cut. Under the Economic Development Department, Museum, stage number two has been cut out. Under Education, Aroostook State Teachers College, the remodeling of Merriman House has been cut out. At Fort Kent State Normal School, the gymnasium reservation has been cut out and the women's dormitory has been cut out. Under Maine Vocational Technical Institute, the addition of the welding shop has been cut out and a classroom building has been cut out.

On the next page, on page ten under the Department of Finance and Administration all of that has been cut out, the Blaine House interior, Blaine House grounds and Capitol grounds. Under Institutional Services, Augusta State Hospital, the lock system replacement has been cut out, windows and screens have been cut out. Under Bangor

State Hospital, sunporches have been cut out and additional administrative offices and storage area has been cut out. Under Pineland, Staples Hall has been cut out. Under School for Girls, the walk-in refrigerator has been cut out. On page eleven, Maine Maritime Academy classrooms and corridor have been struck out. Under State Park Commission, minor park improvements at Sebago have been cut. At the University of Maine, sewage disposal has been cut. Service Building A and B has been cut.

Now I will stand corrected. I have done this hurriedly in comparison with the other bills. If I have misquoted it has not been intentional, it has been because this just came on the desk this morning and I have gone through rather hurriedly, but I would like to point out to you ladies and gentlemen that in the closing days of this long session, this amendment sets itself up above the Bureau of Public Improvements, above the budget office, above the majority of the Appropriations Committee, above department heads. In other words, these are self-appointed experts who in the late hours of this session are going to cut this, and I think that we should consider this very seriously before we adopt it. I certainly would move for the indefinite postponement of this amendment.

The SPEAKER: The question now before the House is the motion of the gentlewoman from Rumford, Miss Cormier that the House indefinitely postpone House Amendment "A".

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

Mrs. SMITH: Mr. Speaker and Members of the House: I too only wish to make my position clear and I sincerely agree with the gentlewoman from Rumford that I too hope that this legislature will give this amendment clear thinking and careful consideration. To make my position absolutely clear as a member of the Appropriations Committee, I would like to read a statement.

I do not want to be an obstructionist, either to my party or to the legislature as a whole. Nevertheless, my honest convictions concerning state expenditures have

forced me to sign a minority report from the Appropriations Committee.

Our Committee, like many others, has worked diligently for the past five months with the hope of presenting impartial and unbiased recommendations to this legislature for their eventual consideration.

I do not believe that this or any other committee should be forced to place an automatic stamp of approval on all departmental requests. If this must be the case, what possible justification do we have for usurping the valuable time of our Committee members?

It has often been stated that the Appropriations Committee was one of the most powerful in our legislature. For this reason, and since I have a sincere and conscientious devotion to my duty as a legislator, I was extremely honored to have been chosen as a member of this group.

It would now appear to some that often the power mentioned is more in name than in fact.

Because of the complexity of our state government, we must grant, of course, that department heads know more about their business than most individual legislators. Nevertheless, to me, this does not mean that certain financial adjustments cannot be made by us. In many instances suggested appropriations are neither technical nor involved, but only a matter of opinion. It is certainly our prerogative to appropriate taxpayers' money as we deem best after careful consideration. In so doing, of course, we must seek the knowledge and advice of the heads of our various departments. Nevertheless, we certainly are not bound to accept their every wish and whim.

We must follow the dictates of our convictions if we wish to be fair to those who elected us. If we are not willing to accept these responsibilities, and follow instead the dictates of others as a path of least resistance, then we truly shirk our duty. I for one feel that certain changes should be made in departmental requests, and I will never espouse to a situation in government when a bureaucracy rules the duly elected representatives. And if this, my dowry report, does nothing but bring to your attention this capi-

tal improvement budget for your consideration I feel that we will have broken the precedent that we would have set up had we brought out a unanimous report.

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

Mr. RANKIN: Mr. Speaker and Ladies and Gentlemen of the House: It looks as though we are going into the game of put and take. Legislative Document 1384 puts money into these projects. Legislative Document 1385 takes money, and I find on our desks two amendments, one of which puts Maritime Academy back in, one of which put Crescent Beach land acquisition back in. Now we can stay here all summer putting and taking. It is rather far in the session to play games and I will go along with the motion to indefinitely postpone this amendment.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Going back again to review after the budget hearing, it was found that the various departments had accumulated some thirty-five million dollars for capital improvements. The executive branch to be then called in the Bureau of Improvements. The Bureau of Improvements had been working with the various departments during the biennium to set up a program to be presented. The executive branch to be informed the Bureau of Improvements that they wanted them to work as diligently as they would know how and set up a true system of priority to be presented to the Legislature. The sum allowed that was twelve million six hundred thousand dollars. This was pared down to eleven million dollars. The report of the Committee on L. D. 1384 was seven for, three against. Already one of the dissenting members has prepared an amendment that would take care of one of his projects in his own area; namely, this amendment, reproduced 423, which would put back the money that was taken out by 1385 back into the budget, back into the bill.

The remarks made by my colleague and seatmate, the representative from Bangor, Mr. Stanley,

that construction today is at an all time high is an extremely questionable statement. If one is only to travel throughout the state and see the many hundreds of carpenters who are either out of work or employed in other industries pending their work to start.

I think one should heed very carefully the remarks of the lady from Rumford, Miss Cormier, when we talk about going over and above the various heads, the various departments, and the various experts who have thoroughly and really studied this problem. 1385 in comparison to 1384, in my opinion, is somewhat of a quick helter-skelter dabbling away, and I certainly will not call myself a self-appointed expert, but I have had the honor of serving on two Budget Committees and five times on the Appropriations Committee so at least I know how to read the word "budget." I certainly concur with the motion of the gentlewoman from Rumford, Miss Cormier, that this amendment be indefinitely postponed and when the vote is taken, I ask for a roll call.

The SPEAKER pro tem: A roll call has been requested.

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

Mr. BROWN: Mr. Speaker, as a member of the Appropriations Committee and one of the signers of the minority report on this bill I feel that I should explain my position to this House. The only reason that I oppose this bill is that I am opposed to a bond issue, especially a bond issue on the general fund for capital improvements. I have no general quarrel with the capital Improvements program as a whole, but when I read in the paper about twenty-nine other states like ours being in financial difficulties due mainly to bond issues I don't feel it is a good policy for our state. I also feel that it adds to inflation and is entirely a credit transaction and for the record, Mr. Speaker, I had nothing to do with the preparation of House Amendment "A".

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

Mrs. CHRISTIE: Mr. Speaker and Members of the House: I have

talked too much lately, but I seem to have to speak on this because in this Aroostook State Teachers College provision there is one item deleted, the item which would repair Merriman House. All the capital improvements bills which we have introduced for the Aroostook State Teachers College have been turned down. Now this is to be turned down, but I am not going to oppose it because I am interested in economy, and I want to see economy. I talked with the President of Aroostook State Teachers College yesterday and he said the Commissioner of Education recommended this, the reconditioning of Merriman House and if you were to see Merriman House you would realize it is a very shabby place for the president of a college to be living in, but I am going along with this move for economy because I am anxious that we do economize, and I sympathize with the gentleman from Ellsworth, Mr. Brown, I mentioned the same thing yesterday, the twenty-nine states that are in financial difficulty and I want to see our state avoid it if possible and so I am willing to, even after all the other bills which have been introduced for this college have been killed, I am willing to go along with this.

The SPEAKER pro tem: The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker, Ladies and Gentlemen of the House: I think this amendment that is embodied in L. D. 1385 represents at least a measure of fiscal responsibility or perhaps of spending restraint. As you know and as other people have mentioned, it has been the historical fiscal policy of the state to spend for brick and mortar such funds as it had available in surplus. This year it so happens that our surplus is lower than normal and yet L. D. 1384 does not seek to adjust to the situation except through the medium of going in debt. Now as you also know the state has not used general fund debt in any size for as far back as the fiscal history that I can see for brick and mortar work. There have been very small amounts of general fund debts for such things as war bonds and these very small

amounts of the general funds debts that we have had have been paid off previously in a very short period of time. That is not to say that the state does not use sense. Companies use debts and people use debts, and the State of Maine uses debts. In fact, I believe that we have — but the policy in Maine has been to put its debts into the highway fund.

In the highway fund at this time in connection with highway matters, bridges and highways, I believe that we have outstanding or authorized some seventy million dollars worth of debts. Now to me that is enough, that for the state to carry in relation to its income. Another thing that I think you might be interested to know is that in a report issued by the Department of Commerce which summarized a study which they carried out of the finances of state government as of 1957 the State of Maine was the seventh highest in net state per capita debt. In other words, there were only six states according to that report which had a higher net state per capita debt than Maine had. That again would indicate to me that we perhaps were not only using debt to as great an extent as we should, it probably indicates that perhaps we are using it to a greater extent than we should.

Now you will also note as has been pointed out here that this original bill not only specifies six million dollars in debt but it is certainly very interesting to me that also it does not provide any time limit in which to write that debt off. It could be a hundred years. I do not know at whose discretion or how the bonds would have been issued, but it seems to me that the amount of six million dollars was too much and the indeterminate period was loose legislation to say the least. Of course we know that the rumor of the thought is that it would be a twenty - year period and that being the case it doesn't seem to me that we want to load up future generations with the cost of debt service and debt amortization when that most definitely has not been done by us. Legislators that have come before us have paid their way as they

went along, and they have not loaded our current services budget with the cost of debt service and debt amortization, and this 1385 we have gone part way and provided for three million dollars of debt to be paid off in six years, hoping thereby that we would keep the matter in control and have a building program of at least eight million dollars. I therefore hope that the motion of the gentlewoman from Rumford does not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kennebunk, Mr. Emmons.

Mr. EMMONS: Mr. Speaker, as many of the people in the House may know, I am not in favor of this amendment 1385. I am not going to speak long but there is one item in particular which I dislike very much to see cut out, but before that I will point out most of you know that the Bureau of Public Improvements establishes priorities. They have put priorities in the first million, second, third, fourth etc. in the order in which they think it should be done. Some of these deletions are in, well the Fort Kent State Normal School is in the fourth million, the next one is in the first million, the next one is in the fourth million, Crescent Beach is in the fourth million, Camden Hills State Park in the second million. Sebago fourth million. Addition to the headquarters of the State Police in the third million. Plenty of the others are in the ninth, tenth or eleventh although there is the Blaine House interior is in the eighth million. It has been said here today that we are going to cut off at the eighth million.

I would like to bring the attention that there is an item in the eleventh million that is sitting right on the Appropriations Table at the other end of this building. I sat here one afternoon or one morning and watched that go through with amazement. I was perfectly satisfied to have it go through but I was somewhat surprised. I mentioned it to one or two gentlemen later and the very next day, I saw a sheet that deleted some of these first, eighth, fourth, first, third, fourth, fourth, second, third and fourth million items to offset that little matter that is sitting up there on the Appropria-

tions table. I think we ought to be a little bit consistent.

Now to speak about the one particular thing that I am most interested in of the various items in these first eight million is the matter of the Crescent Beach Land Acquisition. We really don't have many beaches in the State of Maine. They are largely from Kittery to Portland. Speaking from my own experience at Kennebunk where we have some good beaches, we have had trouble for years in trying to keep them open to the public. The summer people down there at Kennebunk Beach and particularly the cottages are largely owned by people from Massachusetts and New York, they have tried to restrict the use of those beaches for many years. They haven't succeeded.

When I was a young boy before there was the transportation that there is now, very few people used those beaches. Today on Saturdays, Sundays and holidays those beaches are crowded, and they are not crowded with out-of-state people. They are crowded with the people from the back country that can come down and make use of those beaches, and when you argue that those beaches are for the summer people, that is not wholly so. They are for our own people and I certainly would hate to see Crescent Beach deleted at the present time because you either are going to pay a great deal for it some time later or you are not going to have any beaches. Thank you.

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

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: The proposed amendment under L. D. 1385 is a splendid example of the old shell game. First you see an item and then you don't. You will recall earlier this week that on our calendar there were several items, individual bills introduced and they were given a leave to withdraw because they were covered by other legislation. Presumably they were covered by L. D. 1384. Now 1385 takes many of those emergency items out of the bill. For example the gentleman from Sidney, Mr. Bacon, tabled earlier this

week two items regarding the University of Maine in regards to sewage disposal plant for expansion. He later let them die under the hammer possibly thinking that they would be included as they are in 1384, but now the shell game is back with 1385 and those items are deleted. These particular projects are essential and when you vote on the roll call vote, you should be thinking of whether they are or they are not essential.

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

Mr. PHILBRICK: Mr. Speaker, with apologies to William Shakespeare I would like to ask: Upon what meat do these department heads feed that they have grown so great? If we are to delegate our authority to the department heads, to these all knowing department heads, then we might just as well do exactly what the gentleman from Belfast, Mr. Rollins, once facetiously remarked, "go home and have our checks mailed to us." For what purpose are we here but to see that money is properly spent? I myself am delighted to second the motion made by the gentleman from Bangor, Mr. Stanley. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Fort Kent, Mr. Cyr.

Mr. CYR: Mr. Speaker and Ladies and Gentlemen of the House: I had no intention of having to speak against an amendment of this sort because as a matter of fact I didn't believe there was going to be such an amendment after the compromise that was made on L. D. 1385. But unfortunately it seems that in order to survive up in the northern part of Maine, especially in Fort Kent, in our school business, it becomes necessary for some of us to relate some of the matters of the past.

You will pardon me if I do go back some because the hour is getting late and I am not in favor of prolonging this session, not specially after the fourth of July. But however in the meantime I have to stand here and defend the interests of our area, and when I say area, it refers to the St. John Valley. We up there in the St. John Valley

unfortunately were a part of Canada, and I am kind of sorry that we were annexed to the State of Maine as it related to school business up there. We have been more or less segregated up there. A school was organized for the area back in 1878 and kind of temporarily and permanently in 1885 established as Madawaska Training School. Now the reason they established a training school it seemed to me was to train us, and most of us were hard to train and we didn't apply ourselves probably but unfortunately we have been a part of Maine. I say unfortunately because as far as the school goes we have never had a normal school there. Many of you here are under the impression that we have had in the past a normal school, but let me straighten this out for you. We never had anything that was above a grammar school although it was named by the Trustees of the Normal School and that is possibly why many people were misled to believe that we had a normal school.

Now we have had to get along with that school up to four years ago the Board of Education decided to close the school, and fortunately, and I wish to thank the members of the Educational Committee on the part of the Legislature, some of them who are in this Legislature, for the splendid work they did to force the hand of the Board of Education to reopen the school, with the understanding that it would be on par with the rest of the State, that we would have a normal school in time. It was then and there decided that if they did decide that that we would have to have some money for buildings in view of the fact that a girls' dormitory was destroyed the previous year, we were allowed the insurance to remodel the boys' dormitory to be used by the teachers and the ladies and the girls in that dormitory, with the understanding and the recommendation of the Committee as well as the Board of Education after they reversed themselves that there would be need of at least \$260,000 for a girls' dormitory which would come as essential and mandatory and it did so and two years ago and it also appears this year recom-

mended by the Budget Committee and the approval of the Governor.

Well now it is well enough we can cut out the dormitory if you want to, but there is also—then if we stood a cut on the operation expenses of that school of \$44,000 reduction on the education requests. Now it is understood that in case we don't have enough funds to carry those they could use the \$66,000 which is struck out on page 9 I believe of this \$56,600 which was allotted to repair a gymnasium there which might be delayed a year or two and we could use that to carry on the operations. Now in view of the fact that the operation recommended has been cut \$44,000, then again this \$56,000 cut, I am asking you gentlemen where we are going to get the money to carry on, or is this the intent to close that school? You shouldn't close it because the State allotted four years ago with the two years ago money to build this new building, a ten class building which will be open in September. Now in view that the operation has been cut, instead of being increased which is evidently what it needed, and I will tell you the reason why I believe it will be needed. When they closed the school there was an enrollment of thirty.

Last session or last year in October or September when the school opened there was an enrollment of one hundred and four in that school. As a matter of fact the Board of Education told us if we could bring that enrollment up to seventy-five in those three years we would do very well. Well now the chances are there is going to be a larger enrollment in that school because of the fact that we never had a normal school, and that the school was supposed to close every now and then for the past twenty years, many didn't enroll, but now that it is understood to be a four-year teachers' college in a few years, and a new building will be opened that will take care of about three hundred, the chances are that the enrollment is going to step up. And another factor that may aid the step-up of the enrollment is the fact that in our community high school in Fort Kent this very spring we are going to graduate one hundred and twenty-eight out of that school.

Many of those would naturally enter into a normal school, taking a teacher's course.

Now on the St. John Valley which is supposed to take care of the children in that school, I haven't got the figures but I can assume having been connected with the schools up there for several years that there will be at least three hundred and fifty to four hundred graduates out of high schools in that valley, and many of those will seek entrance in the State Normal School, instead of what used to be Madawaska Training School. Now under these conditions it seems to me that we actually need more money for operation where we could use this \$56,000 in case we were short with the permission of the Department and as far as the dormitory for ladies that could be deferred, but for God's sake give us a chance to carry on that school where we have been placed in a position up there for the last seventy years where you people thought we had a normal school and matter of fact we didn't have even just a common grammar school and they were qualifying teachers to teach in the valley and nowhere else. And that is in your statutes today. Now we can stand all that stuff, we know that we are a part of Canada, but after all, we are American citizens and we pay taxes and we send soldiers to defend you. Now I can say that with truth because I myself had four boys and a girl in the last war at the same time all went in and volunteered, and there are many like me on the river.

Now we want justice, all we want is a chance to educate our children on the same level as other American citizens, gentlemen. Thank you.

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

Mr. WADE: Mr. Speaker and Members of the House: I am sorry that I had to be out of the House for a portion of the debate on this matter. As my contribution to this discussion I will repeat what I said at the Republican caucus yesterday afternoon: "L. D. 1384 is the capital improvement bill that has been reported out with a Majority 'Ought to pass' Report of the Appropriations Committee. It embodies the

construction program, the leadership of both branches, and the Chairman of the Appropriations Committee agreed with the executive branch, was a suitable construction program for the State of Maine for the coming biennium. I am prepared to go along with the program which is based on the priority ratings of the Bureau of Public Improvements. I am also prepared to go along with the terms of this Bill as developed by the Appropriations Committee in the use of unappropriated surplus funds and the use of funds from the capital improvement bond issue." On that basis I will oppose the adoption of House Amendment "A".

The SPEAKER pro tem: The Chair recognizes the gentleman from Raymond, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker, Members of the House: I want just to take a few minutes to perhaps clear up a little part of my understanding and my position as a member of the Appropriations Committee pertaining to this bill and this amendment. Now I feel by the remarks of my good friend from Falmouth and also of my good friend from Bangor, Mr. Philbrick, that I have more or less been called a rubber stamp, and I think that it is time that I explained to you, the members of this House, my position. As it has been stated before, just a few years ago the Bureau of Public Improvements was authorized and it was one of their duties to go out and to examine the different institutions, schools, etc. throughout the state and to evaluate the needs and to come back and to report to us those projects which they felt was of the most importance. Several times this winter we have met with the head of that department, and he has explained what he has found, what his position is, and what he feels should be done. Only last Thursday a majority of the members of the Appropriations Committee met with the head of the department of Bureau of Public Improvements, also two of the members from his department, and we talked for more than an hour discussing certain projects within this measure, and at all times he had an answer. Now it seems to me that if we are going to hire

somebody to do something for us, if by talking with him and he has the answers and we are unable to break them down, then it is for us to have some faith in the people whom we have authorized to go ahead and do our work.

Now in this amendment several things have been cut out. I am not going to mention them all. I am just going to mention a few of them. You have on page four the University of Maine, sewage disposal, striking out \$578,760 for sewage disposal. Your sewage now is running to capacity and yet you are authorizing the construction of future buildings. Is that economy? I can't see it. This Pineland Hospital Training Center, it is going to cut out \$28,100 there. Surely this money is needed for the repairs of this building. Is that economy? To me, the longer you let repairs go the more it is going to cost. I don't call it economy.

You have the Maine Vocational Technical Institute, you are going to cut out a classroom building of \$110,600 and the welding shop of \$10,600. You have heard a lot about vocational schools. We have boys who want to go to these schools, surely we should provide for them. If you cut it out, you are only prolonging the time in which it will have to be done, and we all know that the expense of construction is going up. Therefore, if you let this go for a couple more years, it is going to cost you more money. Is that economy? I can't see it.

Two years ago we started to put back the museum down on the first floor. I thought that was a good project. I know that when I was a small boy I enjoyed coming down and going through the old one, and I was hoping that I could at least give the chance to the boys and girls of the grades coming down and going through the museum, but by this amendment you are going to cut out. You are not going to continue. You are not going to put in this number two step. To me, I don't think it should be. I think that we should continue what we have started.

Under the Bureau of Public Improvements, you are going to cut out removing the shirt factory. It has been recommended that it be

torn down. There might possibly come up the need of a little money but, no, you are going to let it stand there for another two years if you pass this amendment. I am going to say to you today that it is my understanding that none of these projects will be done until the Governor and his council looks them over, and I don't believe that those men are going to spend money unless it is necessary. I feel that if we are going to keep them here that we should have a little confidence in them. Certainly I do not feel that this is economy to cut this out.

Now I am going to mention one other problem, that is the Crescent Beach Land Acquisition. You are going to cut this out to save a few dollars now, but there are not too many places on the coast between Portland and Kittery where you can have a state park and I know by experience in my own town, on the shore frontage of several lakes including Sebago Lake, that in the last ten to a dozen years, the cost of the frontage has gone up. It was not too long ago you could go out and buy property on the shore of Sebago Lake at \$20 a foot. Now I understand they are getting \$30, and your cost along the coast is going up.

Now it has been stated here that we should not go to work for a bond issue and leave it up to the younger generation to pay. I say that if you do not acquire this land at the present time, you are going to give them a bill to pay. Now I know that the people in Portland and South Portland and all the surrounding communities want this park. Not too long ago in the Portland Press Herald there was an editorial which says: "Don't give up the park." Now it has been stated that if we pass this amendment and don't provide money to acquire Crescent Beach we are going to save money. Why, if we hadn't given any money to acquire land at the Sebago State Park we would have saved money, yes; but what have we got there today? We have got a park that is paying itself. We have got a park that is returning money to the state, and I am going to say to you here today that if you vote for this, to kill this amendment to provide the money for the park at Crescent

Beach eventually you are going to bring money into the state, into the state treasury, and that to me is good economy.

There was another editorial appeared in the Portland Press Herald: "Is scuttling a state park sound or false economy for the State of Maine?" I am going to read the whole of it to you. It won't take but just a minute. "A legislature must give serious consideration to economy. To do otherwise would be extremely dangerous, but to embrace economy for economy's sake is equally dangerous. Some legislators are now thinking of economizing, by leaving the necessary funds for state park at Crescent Beach out of this year's budget. This would please those who have been resisting creation of new parks but would it be good for the State of Maine? Would it not be a pell mell rush toward economy for economy's sake? State parks comprise one of the great attractions of this state, helping to bring in the hundreds of thousands of tourists who contribute bountifully to our society and our economy. Maine needs more state parks. On the entire Atlantic coastline there are only two or three areas remaining where a state park could be developed, and Crescent Beach is one of them. We ask you, would the scuttling of Crescent Beach State Park to save money be sound or false economy?"

Obviously, it would be false economy. I say to you folks here today that this amendment as it has been prepared is not economy as I see it. It is false economy. It is leaving to the future generation of a bill which they must and will eventually have to pay at a much higher cost than they would if we do the job now, and I feel that it is the people back home saying to us here today: Do a job, you legislators, we are depending upon you. And I hope that when the vote is taken that we will all join together and indefinitely postpone this amendment.

The SPEAKER: The Chair recognizes the gentlewoman from Fal-mouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker and Members of the House: I would like to go along with many of the remarks of my friend from Ray-

mond, Mr. Edwards, and since he has brought very much into the open the B.P.I. report and Mr. Niran Bates, I think I would like to make a few comments also because I have the greatest respect for Mr. Bates and I have had a great deal more respect for him after I spent a couple of hours with him last Wednesday and also sat in the Thursday morning session which Mr. Edwards speaks of.

On the two items, for the information of the House, that were discussed that morning, were the renovations to this State House and to a lesser degree the Crescent Beach Park. When asked, when Mr. Bates was asked why the renovations to this State House was placed in the fourth million, this is as near as I can repeat his reply: "Since these renovations were given to the last special session of the legislature and since it seemed, and that did not seem to be the proper time and the measure was killed, it seemed as though that again it should be referred to a regular session of the legislature, that legislators must take a look again at them and decide what they wished to do and on that basis it was placed in a fairly high priority." You will note that Mr. Bates did not say that because he placed it in the fourth million that was where it should be or it must be. I would remind you that had you voted the renovations to this State House in the special session the plans today are different. The plans if you now voted will also be different because these new plans were based on the fact that you might move the Highway Commission out of the fifth floor and then certain arrangements had been made which will now have to be changed to some degree at least.

The other question in regard to the park was that the park program had previously been set up over a long range by the Park Commission and they did not wish to too much upset the park plans. We must remember that the B.P.I. has not been in existence too long. They too are still somewhat unfamiliar with these different operations, and I am sure that none of you will disagree with me that this is a very complex situation. The requests and

requirements are very complex, and I am sure that Mr. Bates would be the first to agree that he was not the final authority or the whole authority or that he had all the information necessary. And on that basis I say to you that this particular document 1385 as it is presented to you has been with us for a long time and any day after we came up here your Appropriations Committee could have brought out this priority as it is, and I also say to you that this has been brought out very clearly. I also say to you I would ask a question through the Chair to anyone if they care to try to answer if the Appropriations Committee cannot touch the current services and if they cannot touch the B.P.I. priorities, what justification do you have for an Appropriations Committee except to take the few minor bills that come in, money bills, and act upon those?

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

Mr. JALBERT: Mr. Speaker, in answer to the gentlewoman from Falmouth, Mrs. Smith, the Appropriations Committee is touching the bill now and that is what we are working on. My remarks are merely in the form of a question because two previous speakers have stated that there is a provision in L. D. 1385 insofar as time limit is concerned on the repayment of the bond issue. My then question is, will not the supplemental bill bring forth moneys to repay the six million dollar bond issue over a period of twenty years?

The SPEAKER: The Chair recognizes the gentleman from Raymond, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker, in answer to the question of the gentleman from Lewiston, Mr. Jalbert, it is my intention and I feel that it is the intention of at least a majority of the Appropriations Committee to bring forth through the supplementary budget, money and means to pay off the bond issue.

Now just one little remark pertaining to the words which have been spoken by my good friend from Falmouth, Mrs. Smith, I do not feel that any time after the first day that we arrived here could we have brought out a capital construc-

tion program. There have been several changes made in that program since it was first printed, and those changes have been made through talking with and through recommendations made by the Bureau of Public Improvements, and I feel that we, as a majority of the members of the Appropriations Committee, have tried to do a good job. I feel that we have done a good job, and I hope that the majority of the members of this House will feel the same when you proceed to vote.

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

Mr. LINNELL: Mr. Speaker, Ladies and Gentlemen: The gentleman from Raymond, Mr. Edwards, has indicated somewhat of an affection for the project at Crescent Beach. This is one of those items that is eliminated in L. D. 1385. There are also items in South Portland which are eliminated, there are items in Cumberland County. He indicated that if we get Crescent Beach it is going to someday start paying for itself, similar to the Sebago Park where they have tenting facilities now. Crescent Beach does not allow for tenting facilities, there isn't that much room there. There is a red herring in the whole picture and that is the fact that if we saddle the State with this piece of land it is going to take another \$600,000 to develop it.

There are several local projects and problems which have been discussed in this debate. I think there is a paramount interest and that is the interest to the taxpayers of this State. I believe that interest is best served by the amendment offered by the gentleman from Bangor, Mr. Stanley.

The whole argument seems to boil down to a difference in philosophies. Are we going to saddle our State and our people with debt for ourselves and future generations in order to promote one philosophy of spend now and pay later? Or are we going to tighten our belt and live within our means and maintain at least a reasonable semblance of fiscal integrity? I submit we should do the latter.

The SPEAKER: The Chair recognizes the gentleman from Hallowell, Mr. Choate.

Mr. CHOATE: Mr. Speaker and Ladies and Gentlemen of the House: Due to the lateness of the hour I will be very brief, but I do wish to rise and support the motion of the gentleman from Bangor, Mr. Stanley. I don't wish to debate point by point the issues that have been brought up but I would like to point out a survey which was recently made which I think sheds a lot of light on the situation which we face at this moment. This is a survey which was made by the Bates College Faculty Business Research Group and the Maine College and Community Research programs. Its title is "Fiscal Capacity of the State of Maine." It covers many, many items and it is very lengthy but I would like to read one line which I think summarizes quite well the whole report. It reads as follows: "The estimates indicate clearly that a continuation of the revenue and expenditure trends of the past decade will produce a substantial deficit by 1965. Whether the size of the deficit is larger or smaller than estimated will depend on the expenditure trends."

While these surveys should not completely control or govern our actions here, we should heed the warning that is being given to us by this group and by many others, that we who make the laws must think carefully before we embark upon a program of tax and spend. This amendment offers a chance for us to save on projects which we can get along without at this session. If we are to truly represent our people we must remember that each project we approve comes out of all the taxpayers' pockets. I hope that the amendment will pass.

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

Mr. EMMONS: Mr. Speaker, to answer in part what the gentleman from Cape Elizabeth, had to say I would suggest that, in my opinion, only in my opinion, that if the people who come down to Kennebunk Beach in the summer, who now where we have five-day work weeks, who can come down there Saturdays and Sundays and bring their children down, and believe me there are hundreds of them, if it was a question of not being able to come

to Kennebunk Beach or paying taxes, they would certainly pay the tax.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker, with reference to the question asked by the gentleman from Lewiston, Mr. Jalbert, and the answer by the gentleman from Raymond, Mr. Edwards, it would almost give one the opinion that this bond issue is going to be paid off in two years because Mr. Edwards has said they certainly under the supplemental budget hope to provide means of paying off this bond issue. Now that sounds as though it is going to be paid off in two years and I know undoubtedly that is not what he meant. He probably meant, he can correct me if I am wrong, that they would provide funds to pay off one-tenth of the bond issue, which would be on a twenty-year basis.

However, the fact remains that there is no statutory requirement, that I can see, that requires that that bond issue be paid off in twenty years and the next Legislature is not bound to pay its one-tenth or any Legislature after that. And as far as I can see there is nothing to prevent the Treasurer or the Governor and Council from issuing these bonds over any period of time that they may want to do so long as they have enough money in the supplemental budget to pay the first two years service and amortization.

I would like to ask the gentleman from Raymond, Mr. Edwards, a question or two through the Chair if he would care to answer; and that is one, he mentioned that since the Appropriations Committee has been meeting on this bill there have been some changes made in the priorities and I am wondering in the first place whether those changes in priorities were made as a result of the consideration of the Appropriations Committee or whether they were merely brought in by the B. P. I. or whoever it may be and simply changed in the book.

And then the second thing, it has been my impression from what I have heard, and that is the priorities are basically set up by the Department rather than by the B. P. I. itself. B. P. I. goes out and checks

it over, whether they have made changes in the priorities I don't know, but it was my feeling and I would like to know whether I am right or wrong that these are basically departmental priorities.

The SPEAKER: The gentleman from Pittsfield, Mr. Baxter, has addressed two questions through the Chair to the gentleman from Raymond, Mr. Edwards, who may answer if he chooses.

Mr. EDWARDS: Mr. Speaker and Members of the House: I will try and answer the questions. It is my intention when I answered the question of the gentleman from Lewiston, Mr. Jalbert, it was my intention that the process would be set up whereby those bonds would be paid off in a period of twenty years.

The other question pertaining to the changes that have been made since we have come here the first of January, in the capital construction budget have been made through the recommendations of the Bureau of Public Improvements, and I might state to the other question in which he asked pertaining to the Departments making requests for the priorities, some of the Departments have come to the Bureau of Public Improvements and requested that their priorities be changed and they have not been changed, so I think that the Departments make the request and they are not changed unless the Bureau of Public Improvements feel that they have a good reason for so changing them, and their recommendations are given to the — the recommendations of the Bureau of Public Improvements are given to the Appropriations Committee and it is up to the Appropriations Committee to decide whether they want to go along with them, and it was the majority feeling of the Committee that the Bureau had done a good job, that in no way could we see how we could tear them down, and so we have come out with this bill, and I believe it is a good one.

Mrs. SMITH: Mr. Speaker?

The SPEAKER: The Chair must remind the gentlewoman that she has spoken twice and must have the permission of the House to speak further.

Mrs. SMITH: I would only like if I may with the permission of the

House to comment on the last question asked by the gentleman —

The SPEAKER: Is the gentlewoman answering a question?

Mrs. SMITH: Yes.

The SPEAKER: The gentlewoman may proceed.

Mrs. SMITH: My interpretation of the way the B.P.I. sets up and also which was a subject of discussion on Thursday morning with Mr. Bates, was that the Bureau would be very much against moving money from one department to another. In other words, each group as you know must be allocated something even though — the Bureau of Public Improvements certainly couldn't leave out any one group, but that within the department, within that particular group of improvements the people for the most part were allowed to set up their own priorities and in many cases — Mr. Edwards is right in saying that in some cases they had refused them, but also it can be said that in most cases the wishes of that department are given very careful consideration and, unless they are unreasonable, are granted by the B.P.I.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: Sometime ago the gentleman from Bangor made some remarks concerning myself, my remarks some sixteen years ago concerning the department heads running the show, and I don't change my opinion one bit today. But here we are, a Legislature, here is an opportunity to do something for the taxpayers of Maine. The taxpayers of Maine do not want any more taxes. This is an opportunity to go out of this Legislature without a major tax bill. I am surprised at the gentleman from Raymond, Mr. Edwards, who wants to leave the spending of this money to the Executive Council, where on April 9 if my memory is right, he voted to abolish the Executive Council. I am a stickler for the Legislature handling their business, and as far as delegating their authority, I have always been opposed to it. We have delegated too much authority to others now, far too much.

And the gentlewoman from Falmouth, Mrs. Smith, said the Department has not been in session too long. Well that is right, they haven't been. They haven't been in session long enough to have a progress report of what they are doing, of what they have got in front of them or what they plan to do. Well now any business that is spending as much money as they are should be able to tell the Legislature what they were doing, what they have done and what they plan to do. I think this is an opportunity to do something for the taxpayers of the State of Maine, which each and every one of you represent, and I hope the amendment is adopted.

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

Mr. STANLEY: Mr. Speaker and Members of the House: I would like to thank the gentlewoman from Rumford, Miss Cormier, for pointing out in the Bill 1384 the changes which would be made. I intended to do that and forgot it, and what she has pointed out are the correct figures as far as I can check them off. She talks faster than I can check them, but I think we got them correct.

As in my family responsibilities and in my business responsibilities, I take my legislating very seriously. I hate to have people make the remark that this is a shell game. It is a shell game only if you make it a shell game, and if that is what you intend to do then that is what it will be, but the intent of this amendment is not to present any shell game to anyone here or to the people of the State of Maine. It is my intent to make up a program which we can justify as responsible legislators to send out to the people and they can vote on it to say whether they would like this particular program or not.

In the B.P.I. Report they came out with priorities which it may be just a coincidence that it came out \$12,630,000 which was a \$10,000,000 bond issue and \$2,630,000 out of unappropriated surplus, which would be on hand the first day of July of this year. Everything in there was supposed to be essential and mandatory. Those are the things

that are essential and mandatory, and I would submit to you is the museum downstairs essential, is it mandatory? Is Crescent Beach essential, mandatory? Could we live without it? Is taking down the shirt factory essential and mandatory? The demolition of Cyr Hall at Fort Kent? Is it essential and mandatory to our form of government? Are these things essential and mandatory? Some people have to question. When you were told that they were essential and mandatory and you go along with them, we might just as well have a dictatorship. In my opinion these things are not essential and mandatory. Apparently some people are willing to spend \$260,600 for a beach where they can make public improvements to it and take in some money, when up at Moosehead Lake where they were given a tract of land at no cost, they were refused the money to make the improvements on it. That land was given to the State of Maine. Improvements to be made by the State, and they have been turned down in 1384. We just didn't feel it was the thing to do, so even though I would like to see that park have something done to it, because there are none in that area whatsoever and there is a great demand for it, and there are people up there as well as there are on the beaches, but nothing was done about that. And in my program I did not include it, even though I think very definitely it would be an asset to the State.

The gentleman from Raymond, Mr. Edwards, read the editorial which is an excellent editorial, but it did say there are only two or three beaches left. Why does it have to be Crescent Beach? We have, probably myself, have been tagged with the label of 'economy block', which is perfectly alright with me. The reason for doing this was not for economy. I think it is responsible legislation. I would hope that the gentlewoman's motion to indefinitely postpone the amendment would not prevail.

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

Mr. MILLER: Mr. Speaker, I rise briefly to address the ladies and gentlemen of the House and make

a few comments of my own as a Representative. In the first place I want to at this time go on record as commending the Department of Public Improvements for the splendid job they have done since the initiation of that Department. In my opinion, the Department of Public Improvements has not only saved the State of Maine thousands of dollars, but in the future with their studies and recommendations will save many more thousands. I also want to commend the majority membership of the Appropriations Committee for the splendid job they have done in reporting out of Committee this L. D. 1384. I know that many hours of study have gone into this. I know that many things had to be cut in order to come out with something that would meet the budget of the State of Maine. I feel that the majority of this Committee has done a real splendid job and that this Legislature should accept the majority report.

I also want to comment that it is essential to the progress and the economy of the State of Maine to build and develop Crescent Beach and to improve our institutions and our schools in the State of Maine. Thank you.

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

Mr. WINCHENPAW: Mr. Speaker, I hate very much to do this but I am going to move the previous question.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, has moved the previous question. For the Chair to entertain the motion for the previous question the Chair must have the authorization to do so by 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.

Thirty-eight members arose, and the motion for the previous question did not prevail, less than one-third having arisen.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I have only

— will only speak very briefly and probably it wouldn't make any difference if I had been cut off, I don't expect to change any votes. I merely wish to say this that as a member of the Appropriations Committee who signed the majority report of 1384, I did so feeling that it was a practical program, a program that the people of the State of Maine could stand; it was a program that covered the entire state, it covered educational institutions and park development and practically every area of our economy. I believe it was as good a program as we could come up with, and I hope that the motion of the gentlewoman from Rumford does prevail.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentlewoman from Rumford, Miss Cormier, that the House indefinitely postpone House Amendment "A". 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 on the part of at least one-fifth of the members present. 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 Hallowell, Mr. Choate.

Thereupon, Mr. Choate of Hallowell, who would have voted "no" had he voted, was excused from voting as he paired his vote with Mr. Maddox of Vinalhaven, who was absent but would have voted "yes" were he present.

The SPEAKER: The Chair will state the question again. If you favor indefinite postponement of House Amendment "A" to Bill "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for Fiscal Years Ending June 30, 1960 and June 30, 1961 and Authorize a General Fund Bond Issue in the Amount of Six Million Dollars" you will say "yes" when your name is called. If you oppose it, you will say "no." The Clerk will call the roll.

## ROLL CALL

YEA — Aliberti, Barnett, Boone, Bragdon, Briggs, Brown, Ellsworth; Cahill, Caron, Cormier, Cote, Coyne, Cyr, Augusta; Cyr, Fort Kent; Davis, Westbrook; Desmarais, Dostie, Doyle, Dudley, Dufour, Dumais, Earles, Edwards, Raymond; Emmons, Frazier, Gallant, Harris, Healy, Hendricks, Hendsbee, Hilton, Jacques, Jalbert, Johnson, Karkos, Kellam, Kilroy, Knight, Lancaster, Lane, Lantagne, Lemelin, Letourneau, Lowery, Miller, Nadeau, Pert, Pike, Pitts, Plante, Porell, Prue, Rankin, Reed, Rowe, Madawaska; Sanborn, Saunders, Storm, Tardiff, Wade, Walls, Walsh, Warren.

NAY — Baker, Baxter, Brockway, Brown, Bangor; Brown, Cape Elizabeth; Call, Carter, Carville, Caswell, Chapman, Gardiner; Chapman, Norway; Christie, Clark, Cousins, Cox, Crockett, Dean, Dennett, Denison, Dodge, Dumaine, Dunn, Edgerly, Edwards, Stockton Springs; Ervin, Good, Hancock, Hanson, Bradford; Hanson, Lebanon; Hardy, Harrington, Haughn, Heald, Hobbs, Hodgkins, Hughes, Hutchinson, Jewell, Jewett, Kennedy, Knapp, Linnell, Mathews, Mathieson, Maxwell, Mayo, Monroe, Morse, Parsons, Perry, Easton; Philbrick, Rollins, Rowe, Limerick; Smith, Exeter; Smith, Falmouth; Stanley, Treworgy, Trumbull, Turner, Walter, Wheaton, Whitman, Winchenpaw, Young.

ABSENT — Bacon, Beane, Ber- man, Couture, Curtis, Danes, Davis, Calais; Dow, Edmunds, Graves, Kinch, Lacharite, Lebel, Lindsay, Maddox, Moore, Perry, Hampden; Russell, Weston, Whiting, Williams.

EXCUSED — Choate.

Yes 62, No 64, Absent 21, Ex- cused 1.

Mr. BROCKWAY: Mr. Speaker?

The SPEAKER: The Chair recog- nizes the gentleman from Milo, Mr. Brockway.

Mr. BROCKWAY: Mr. Speaker, if I am not too late, I would like to change my vote. I voted "yes" and I would like to be recorded as "no."

The SPEAKER: The gentleman is in order and his vote will be changed from "yes" to "no."

The Chair recognizes the gentle- man from Madawaska, Mr. Rowe.

Mr. ROWE: Mr. Speaker, I have permission to pair Representative Lacharite's vote from Brunswick. I haven't —

The SPEAKER: The Chair must advise the gentleman it is too late to pair a vote.

Sixty-two having voted in the af- firmative, sixty-four having voted in the negative, with twenty-one ab- sent and one excused, the motion to indefinitely postpone does not pre- vail.

The question now before the House is on the adoption of House Amend- ment "A". Is it now the pleasure of the House that House Amendment "A" shall now be adopted?

The motion prevailed.

The SPEAKER: The Chair recog- nizes the gentleman from Rumford, Mr. Aliberti.

Mr. ALIBERTI: Mr. Speaker, I would like to propose House Amend- ment "B" to House Amendment "A" and move its adoption.

The SPEAKER: The Chair must advise the gentleman that it is now too late to do that unless the House reconsiders its action where- by it adopted House Amendment "A".

Mr. ALIBERTI: Well I think I am a little bit confused, Mr. Speaker.

The SPEAKER: Would the gentle- man approach the rostrum?

(Conference at rostrum)

The SPEAKER: The Chair recog- nizes the gentleman from Rumford, Mr. Aliberti.

Mr. ALIBERTI: Mr. Speaker, in the confusion here, I had prepared an amendment and I think the gentle- man from Ellsworth, Mr. Brown, had also prepared an amendment, and we got lost in the shuffle. There- fore, I would like to request the House to reconsider their action whereby they just passed this amendment for the purpose of an amendment.

The SPEAKER: The gentleman from Rumford, Mr. Aliberti, moves that the House reconsider its action whereby it adopted House Amend- ment "A". The Chair will order a division. Will those who favor the motion to reconsider the action whereby the House adopted House — the Chair recognizes the gentle-

man from South Portland, Mr. Linnell.

Mr. LINNELL: Just a question of order, Mr. Speaker, is it not necessary to have voted on the prevailing side in order to make that motion?

The SPEAKER: The Chair must advise the gentleman from South Portland that there was no record vote on the adoption of House Amendment "A" and no division. The vote went under the hammer and therefore it must be assumed that Mr. Aliberti was on the prevailing side.

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

Mr. JALBERT: Mr. Speaker, in order to clarify the situation I think possibly to reopen it, in view of the fact that the gentleman from Rumford was not on the side that would allow him to make the motion, would it be in order to question the vote just taken?

The SPEAKER: The vote just taken was a vote that went under the hammer. There was no record vote, and as far as the roll call vote is concerned, it is too late to question that now.

There is a motion before the House to reconsider. This motion is debatable. The Chair recognizes the gentleman from Portland, Mr. Healy.

Mr. HEALY: Mr. Speaker, I hope I have got the right amendment here.

The SPEAKER: The amendment has not as yet been placed before the House, if the gentleman wishes to debate the amendment —

Mr. HEALY: Well would I be in order, Mr. Speaker, to suggest what this amendment is?

The SPEAKER: The amendment is not before the House and therefore is not open to discussion. The question before the House is on the motion to reconsider the action whereby the House adopted House Amendment "A".

Mr. HEALY: Now it's clear.

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

Mr. BROWN: Mr. Speaker, I think that we should have a chance to reconsider the question to put us in a position to offer our amendments.

The SPEAKER: Is the House ready for the question?

The question before the House is the motion of the gentleman from Rumford, Mr. Aliberti, that the House reconsider its action whereby it adopted House Amendment "A". Will all those who favor the motion to reconsider please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Sixty-five having voted in the affirmative and fifty-nine having voted in the negative, the motion to reconsider did prevail.

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

Mr. JALBERT: Mr. Speaker, I move the indefinite postponement of House Amendment "A" and ask for a division.

The SPEAKER: The Chair must rule the motion of the gentleman from Lewiston, Mr. Jalbert, out of order since the House has just acted on that question.

Mr. JALBERT: Mr. Speaker! Mr. Speaker!

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

Mr. JALBERT: May I approach the rostrum?

The SPEAKER: The gentleman may.

(Conference at rostrum)

The SPEAKER: The Chair will advise the House that because intervening business occurred, the motion of the gentleman from Lewiston, Mr. Jalbert, for indefinite postponement, is in order, but the Chair understands the gentleman from Rumford, Mr. Aliberti, moves the adoption of an amendment, and a motion to amend takes precedence over a motion to indefinitely postpone.

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

Mr. JALBERT: Mr. Speaker, the gentleman from Rumford, Mr. Aliberti, made a motion that he wanted to present an amendment. He was ruled out of order because he was not on the side that would allow him to do it.

The SPEAKER: The gentleman is mistaken. There was no record vote taken on the motion.

Mr. JALBERT: Correct, but in view of the fact that the gentleman from Rumford, Mr. Aliberti, had made a motion and had not been on the prevailing side, he could not make the motion to reconsider, is that correct?

The SPEAKER: There is no record of the gentleman having not been on the prevailing side. The vote in question went under the hammer.

Mr. JALBERT: Has he presented his amendment?

The SPEAKER: He is about to.

Mr. JALBERT: Well has he presented it?

The SPEAKER: Not yet.

Mr. JALBERT: Good, so my motion prevails now.

The SPEAKER: The motion before the House at the moment is the motion of the gentleman from Lewiston, Mr. Jalbert, — the Chair now recognizes the gentleman from Rumford, Mr. Aliberti.

Mr. ALIBERTI: Mr. Speaker, I now withdraw my motion.

The SPEAKER: Does the Chair understand the gentleman from Rumford to withdraw his amendment?

Mr. JALBERT: He hasn't presented it.

The SPEAKER: Would the gentleman please remain in order? The Chair is recognizing the gentleman from Rumford, Mr. Aliberti.

Mr. ALIBERTI: Mr. Speaker, I would just like to sit down and mull this over until I get straightened out in my own mind.

The SPEAKER: The House will be in order. The Chair will rule that the motion before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that House Amendment "A" be indefinitely postponed and the gentleman has requested a division.

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

Mr. ERVIN: Mr. Speaker, I move we recess until 2:00 o'clock.

The SPEAKER: The question now before the House is the motion of the gentleman from Houlton, Mr. Ervin, that the House recess until 2:00 o'clock and the Chair will order a division on this motion.

Will those who favor the motion to recess until 2:00 o'clock please rise and remain standing until the

monitors have made and returned the count.

A division of the House was had.

Thirty-one having voted in the affirmative and ninety-one having voted in the negative, the motion to recess did not prevail.

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

Thereupon, Mr. Brown of Ellsworth, offered House Amendment "A" to House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to HOUSE AMENDMENT "A" to H. P. 973, L. D. 1384, Bill, "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for Fiscal Years Ending June 30, 1960 and June 30, 1961 and to Authorize a General Fund Bond Issue in the Amount of Six Million Dollars."

Amend said Amendment by striking out all of the 5th paragraph from the end relating to Maine Maritime Academy.

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

Mr. BROWN: Mr. Speaker and Members of the House: This amendment would put back in the Maine Maritime Academy. The Maine Maritime Academy is in dire need of new buildings, and the Academy is operating this coming year under an advanced program with more students. It is the hope of the people of my area that they be given the additional classroom. They would even be keeping boys on board the boat due to no classroom space at the Academy. These boys need a decent place for a classroom and they have never had a new building down there except a machine shop. I hope you ladies and gentlemen of the House will go along with me and support this amendment.

The SPEAKER: The question before the House is on the adoption of House Amendment "A" to House Amendment "A". The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, a point of information. How can an amendment be presented to an amendment when there is a motion on the Floor to indefinitely postpone the amendment?

The SPEAKER: The Chair must advise the gentleman that in the order of priorities of motions a motion to amend supersedes a motion to indefinitely postpone. The motion of the gentleman from Ellsworth, Mr. Brown, is to amend House Amendment "A" which motion takes precedence over your motion to indefinitely postpone House Amendment "A".

Mr. JALBERT: I made a motion, and I am merely asking for information, I am as confused as many others here, and that is why I am asking the question. I wasn't aware of the fact that you could tack on an amendment to a motion to indefinitely postpone an amendment.

The SPEAKER: If the gentleman will consult the list of priorities he will find that a motion to amend is number six, and a motion to indefinitely postpone is number seven, which means that six takes priority over seven.

The question before the House is the motion of the gentleman from Ellsworth, Mr. Brown, that the House adopt House Amendment "A" to House Amendment "A". Is the House ready for the question? The Chair will order a division. Will those who favor the motion to adopt House Amendment "A" to House Amendment "A" please rise and remain standing until the Monitors have made and returned the count.

A division of the House was had.

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

Thereupon, Mr. Aliberti of Rumford, offered House Amendment "B" to House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "B" to HOUSE AMENDMENT "A" to H. P. 973, L. D. 1384, Bill, "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and

Furnishings for Fiscal Years Ending June 30, 1960 and June 30, 1961 and to Authorize a General Fund Bond Issue in the Amount of Six Million Dollars."

Amend said Amendment by striking out all of the 5th paragraph which relates to "Crescent Beach Land Acquisition."

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

Mr. ALIBERTI: Mr. Speaker and Ladies and Gentlemen of the House: The reason that I would like to present this amendment for your acceptance is the fact that a couple of years ago this same property was being negotiated between the state and the people of the Crescent Beach area. Two years later, at this session, the price has already gone up some \$30,000, and there is nothing in the picture that would not say that two years hence that that price might not be increased \$30,000 more. A great deal of interest has been experienced by the people in that area because they were asked to vote on this issue some time ago and the vote was quite satisfactory that they would like to see this property negotiated for and used for a state park. Now with this amendment being proposed to cut this out of this particular bill, it would seem that they asked the people to vote on the question and now they are taking the prerogative away from them to negotiate the result of that problem. So I would hope that those of you here might go along with the amendment to put this right back, and we certainly need a state park in that area. I hope you will go along with the amendment.

The SPEAKER: The question before the House is on the adoption of House Amendment "B" to House Amendment "A."

The Chair recognizes the gentleman from Greenville, Mr. Harris.

Mr. HARRIS: Mr. Speaker, I rise in opposition to the adoption of this amendment, and I will try to explain my reasons. As the gentleman from Bangor, Mr. Stanley, mentioned some time ago, there was over five hundred acres given to the State of Maine for a state park, but for some reason or other under the authority set up, they did not see fit to raise any money to develop that park,

and now they are asking for \$260,000 to buy land to make a state park. I think and I honestly believe that they should raise \$157,000 as set up under the program of the B. P. I. to develop what they already have before they go buying any more land.

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

Mr. CARON: Mr. Speaker, a point of inquiry please.

The SPEAKER: The gentleman may proceed.

Mr. CARON: Was House Amendment "A" adopted? Did we adopt House Amendment "A", the original Amendment "A"?

The SPEAKER: The House did adopt the House Amendment "A" and then reconsidered its action whereby it did adopt House Amendment "A."

Mr. CARON: I am still a little bit confused. If we did not adopt the original Amendment "A", how can we possibly adopt an amendment to an amendment that was never adopted? I mean I am confused.

The SPEAKER: The Chair would advise the gentleman that amendments to amendments must be acted upon before the main amendment can be acted upon.

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

Mr. HEALY: Mr. Speaker and Ladies and Gentlemen of the House: The tourist trade in the State of Maine is our second largest industry. We advertise on the plates of our automobiles with the exception of the exclusive members of the legislature, "Vacationland." People come into the State of Maine for vacations and they have no place to land. They show up at one of our local beaches and look for a chance to get into the water to get a little relief, and the thing that happens is that one of the local keystone cops sneak up on them and pin a ticket on their car. They have to show up in the local jurists office, one of whom I am somewhat familiar with, and he appears to them in his shirt sleeves and says without any ado: "Fifteen dollars."

The beaches for the public, not only the tourist public but our local people, are fast becoming a vanishing piece of property due to the

acquisition of the lands by such magnates as the Sprague interests of Boston who have taken up most of the land along the coast here adjacent to Portland particularly.

A few years back a private interest undertook to develop a beach property at Prouts Neck at their own expense; to be sure it was a private industry, but the Sprague interests came here to the Legislature and did their best to stop it. Now that particular private interest can accommodate probably five hundred to a thousand people on a hot day. The tourists get the benefit of it and so do the local people.

Ladies and Gentlemen of the House, if there is a proposition that this Legislature has come up with it certainly is this one to give the people, the suffering humanity that have to live in Portland and the other hot spots a chance to get out and get cooled off, this is it. I might add too that this would probably reduce some of our so-called delinquency. Everybody is a hot-rod now and they are riding around in a car and they should have a chance to get cooled off, particularly in the summer time, and I submit that the Crescent Beach project should have priority in this House. I thank you.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker, I hope that the House when it considers this amendment will keep in mind the fact that this is merely the acquisition of property and keep further in mind the words of the gentleman from South Portland, Mr. Linnell, that after this is acquired it will require some \$600,000 to develop the property.

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

Mr. ALIBERTI: Mr. Speaker, I would like to take issue to the remarks of one of the gentlemen legislators here who said that five hundred thousand or five hundred acres were willed to the State of Maine and nothing has been done about that. Realizing the location of that, just how do you expect people from the Portland area to go way up to the area in which this land was

given so that they can take part in all of the features that go along with that acquisition of the property? The Portland beaches, let me explain a little bit about the Portland beaches. You have Willard Beach in South Portland that has sewage empties into it. You have the Eastern Promenade Beach, a municipal beach, which also has quite a bit of pollution in that. Old Orchard Beach is a very wonderful beach and that is crowded to the hilt at present. You have Pine Point, another exclusive area, which is also very, very highly populated. Now you do have an area out there which could be developed, and as the gentleman from Pittsfield, Mr. Baxter, brought out, this is only for the acquisition of property. Why that is the same problem with all the state parks that the state owns at the present time. The initial investment is in buying and acquiring the property, but look what they have done to Reid State Park and Mt. Blue and all the other parks, and they certainly are a credit to the State of Maine for all those who take part and go up there. Now certainly the people in the Portland area are entitled to a small part of their facilities in order to use what they have there and the state certainly should be willing to put a little bit of money into that; after all, it is the largest city in the State of Maine, and we should certainly make things available for them, and I hope that this amendment will go through.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker and Members of the House: Many at one time or another have claimed that we are interested in the problems of the juveniles. Summer recreation for many of these juveniles is one big problem, and I think that any part of a problem that we can solve is a step in the right direction, and I hope that we accept this amendment.

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

Mr. MILLER: Mr. Speaker, Ladies and Gentlemen of the House: I hope that when the vote is taken on this that your heart has mellowed,

because believe me this is a very worthwhile project. It is what I call an essential movement to better the progress and the economy of the State of Maine. In our area of the state, where there are well I would say better than a quarter of a million people, a park of this nature is badly needed, and I am sure that if the need for this was not immediate that you would not see legislation here in this Legislature requesting funds for this area. I hope that when you vote that you vote with your hearts and go along with the passage of this amendment.

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

Mr. DESMARAIS: Mr. Speaker and Members of the House: Mr. Aliberti, my good friend from Rumford, mentioned Old Orchard Beach. That is in York County. That is in my county. Well, I want to mention that if we are going to advertise here, we should not let the other beaches out so I will say Kennebunk Beach, Wells Beach, Ogunquit Beach, and York Beach. They are all fine beaches boys. Come down some time.

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

Mr. EARLES: Mr. Speaker and Ladies and Gentlemen of the House: To arise at this hour and enter this debate, it is a little bit like going through a swinging door. They want you to get out quick. Crescent Beach, of course, is in the Town of Cape Elizabeth as you know. I am a Representative and live in South Portland not far from the Cape Elizabeth line. I have groups in Cape Elizabeth, as a boy I played ball out there. I belonged to the grange in Cape Elizabeth for some twenty-five years, and I know some of the people. I don't go around seeking out reactions of constituents particularly unless I think that it is a crucial question and, therefore, perhaps I don't receive the mail that some people do, but I think that in view of this controversy that perhaps I am entitled to make a couple remarks and I hope you will bear with me.

First, I have received mail on this particular proposition. I have

received letters and I have received cards from people who live in Cape Elizabeth who desire this park. Interesting enough to me some of those were recent residents of Cape Elizabeth, but some of them I remember the names. They go back two or three hundred years, their lineage.

Now, in a previous session the question of the acquisition of this land came up and if recollection serves me correctly the Cumberland County delegation went out to the Cape Elizabeth town hall in company with a representative of the State Park Commission and they had a discussion, and the conclusion reached was that if we would hold off and not take any affirmative action trying to pursue the course of this acquisition that the municipal officers in Cape Elizabeth would see what they conceivably could do as a town to clean up, to improve the beach so that it would be available for the public. As I understand that on a list of priorities put out by an agency of the federal government, this land area is one of the few salt water land areas along the Atlantic seaboard that conceivably may be acquired for recreational purposes. The distinction between this land acquisition and that referred to by the gentleman from Greenville, Mr. Harris, is that the land there has been deeded to them, gifted to them, and they already possess it, but in the interim of the last two years the land area that potentially is available for this particular park has decreased, and if the question of acquisition of this land continues from one session to another you won't be able to acquire a sizable enough land area to make a state park feasible. I understand that the purpose of the park if it were to be obtained ultimately would be, primarily would be for daytime use under adequate supervision. Bear in mind that the Cape Elizabeth or rather the Crescent Beach Park would service not only people living in Cape Elizabeth and South Portland and Portland, but people from southwestern Maine. There are a number of excellent beaches along the coastline in the southern part of the state, but the availability, the use of the beaches by the gener-

al public is very much restricted. For example, in the Town of Scarborough there is a beach called Higgins Beach. When I was a boy we could go out there and go in swimming. We could park our cars and change our clothes and go in swimming. By ordinance it has been made impossible for people to park there. I think perhaps in that instance rightly so because the people did abuse the privilege. I realize living, as I have said before, near the Cape Elizabeth line that the desirability of this park is not a question that is either black or white, there are shades of opinion; there are some people from Cape Elizabeth that are very much opposed to it, a former law associate of mine, a former selectman and one of my best friends, he is unalterably opposed to it and I respect his viewpoints, but by the same token I feel that those that are interested in the acquisition of this land for the ultimate use of the general public within the State of Maine and those from outside the State of Maine, we should take a mature and deliberate look before we decide to vote against an amendment of this nature. Thank you.

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

Mr. PHILBRICK: Mr. Speaker, this is fast becoming obvious to me that what we have here is something with the aura of a greater Portland park barrel project. Now, we of the Bangor area and the Penobscot area are not too happy to see the Bangor State Hospital deprived of considerable funds, but there is not a one of us bellyaching to this group here. Now if the people in the greater Portland area wish this Crescent Beach affair developed, what if they come back in two years with a special bill for perhaps a Cumberland County park area, something of that nature? Let us think of the State of Maine first and not our own local situations.

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

Mr. KELLAM: Mr. Speaker and Members of the House: I thought the next prior speaker has expressed quite clearly that if this beach

land at Crescent Beach is not acquired that quite possibly in two years it will not be available. There are very few open areas left along the shore, and this land has been cut down considerably from what it had once been when it was first proposed as a state park. The land has been eliminated, having been built upon and the structures put on there being too costly to acquire. It is now, I believe, at somewhat the stage where if further cuts were made in the amount of area to be used for a state park, it might not be suitable for one. It is not a matter of coming around every two years and hoping to get a state park; if the land is not acquired now, it won't be because it will not be available or very likely will not be available two years from now or a later date. It disturbed me that this thing with us living in a state of natural beauties and desirabilities, that a large segment of our population is completely precluded from enjoying one of the great natural assets of this state. In the Portland area today there is no beach that the public can go to. And I am not talking about all the public that jump in their car and drive off, I mean the little kids that are in the streets and everything. Now you say that Portland should do something about it, but we cannot make the shoreline any bigger than what it is.

Crescent Beach is right on the bus line or would easily be on the bus line if a state park was established there. This beach would be available for a great number of children and adults too, and I believe that it would probably be the most heavily used park in the state. And it would be used by those people who have no other place to go. It is not a matter of going to Reid State Park or going to Crescent Beach State Park. With most of the people in Portland and South Portland, and probably quite a few in Cape Elizabeth who do not have shore property too, it is a matter of going to a public beach like this or just never going to a beach. And to me it is a crying shame for children who grow up in this state and have something like three thousand miles of coastline, counting all indenta-

tions, and never being able to go to a sandy beach.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker, I also received mail regarding this park and it was in opposition to the park, and it further stated that Scarborough Beach was a better beach, a bigger beach and could be acquired much, much cheaper than this beach can be acquired.

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

Mr. MILLER: Mr. Speaker and Ladies and Gentlemen of the House: I feel sort of angered at the remarks made by the gentleman, my very good friend from Bangor, the Representative Philbrick. The remark was made about we are interested in the pork barrel. Believe me, as far as I am concerned, I am not interested in pork barrels and I have no relatives living in Cape Elizabeth where I try to confuse an issue by killing a project which some of them may be opposed to. I do know this, that there is urgent need for this and the greater Portland and the southern part of the state is as much a part of the State of Maine as any other section of this State. Yesterday I stood on this floor and voted for a bill which I believe was presented by the gentleman from Washington County in regards to some \$5,000 contribution to help to build up a community down there for their vacation area. I voted for that against the wishes of a lot of people who had spoken to me, because I felt that it was needed to necessitate a progressive and economy move for that community. And I hope that that same position prevails here today, that when you vote you will be thinking of progress and economy for the State of Maine.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Rumford, Mr. Aliberti, that the House adopt House Amendment "B" to House Amendment "A". The Chair will order a division.

Will those who favor the adoption of House Amendment "B" to

House Amendment "A" please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Fifty-six having voted in the affirmative and sixty-nine having voted in the negative, the motion to adopt House Amendment "B" to House Amendment "A" did not prevail.

The SPEAKER: The pending question now before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that House Amendment "A" be indefinitely postponed and the gentleman has requested a division.

The Chair recognizes the gentleman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, I would request a roll call.

The SPEAKER: A roll call is requested. Is the House ready for the question?

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

Mr. ROWE: Mr. Speaker, the gentleman from Brunswick, Mr. Lacharite, again has given me permission to have him paired. If he were voting on this amendment here he would vote for indefinite postponement and the gentleman from Jay, Mr. Maxwell, has agreed to pair his vote with Mr. Lacharite's. I understand that Mr. Maxwell would vote for indefinite postponement.

The SPEAKER: The Chair must rule that the gentleman from Madawaska is out of order. If the gentleman from Jay, Mr. Maxwell, wishes to be excused from voting he may make that request of the House himself.

The Chair recognizes that gentleman.

Thereupon, Mr. Maxwell of Jay, who would have voted "yes" had he voted, was excused from voting as he paired his vote with Mr. Lacharite of Brunswick, who was absent but would have voted "no" were he present.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Mayo.

Mr. MAYO: Mr. Speaker, I would question that pairing of the votes for this reason. The gentleman from

Brunswick, Mr. Lacharite, has not been in this House all day—

The SPEAKER: The Chair must advise the gentleman that he is out of order since the House has voted to allow Mr. Maxwell to pair his vote.

Mr. MAYO: I would just like to remind the Speaker that I was on my feet before the gavel was banged.

The SPEAKER: The Chair must add the further reason that the gentleman from Bath, Mr. Mayo, is questioning the motives of the gentleman from Jay, and that is out of order also.

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

Mr. CYR: Mr. Speaker, I am a little bit confused. Are we voting on 1385?

The SPEAKER: The Chair will restate the question. The question before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that House Amendment "A", which is 1385, be indefinitely postponed. A roll call has been requested.

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

Mr. HEALD: Mr. Speaker, may I ask a question of parliamentary procedure?

The SPEAKER: The gentleman may state his question.

Mr. HEALD: In the process of pairing votes, isn't it necessary that the person requesting to pair a vote make that request himself?

The SPEAKER: The Chair would advise the gentleman from Union, Mr. Heald, that actually there is no such thing as pairing votes. The gentleman who wishes to be excused from voting requests permission of the House to be excused from voting for the reason that he has paired his vote with an absent member. Actually the request that is made is to be excused from voting, and the person who wishes to be excused from voting must make the request himself.

Is the House ready for the question? The question before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that House Amendment "A" to Bill "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and

Furnishings for Fiscal Years Ending June 30, 1960 and June 30, 1961 and Authorize a General Fund Bond Issue in the Amount of Six Million Dollars," House Paper 973, Legislative Document 1384, be indefinitely postponed and a roll call has been requested.

For the Chair to order a roll call the Chair must have an expression of a desire for a roll call from at least one-fifth of the members present. Will those who desire 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 question on which you are voting is the motion of the gentleman from Lewiston, Mr. Jalbert, that House Amendment "A" be indefinitely postponed. If you favor the motion to indefinitely postpone you will say "yes" when your name is called, if you oppose the indefinite postponement you will say "no". The Clerk will call the roll.

### ROLL CALL

YEA — Aliberti, Barnett, Beane, Boone, Bragdon, Briggs, Brown, Ellsworth; Cahill, Caron, Cormier, Cote, Couture, Coyne, Cyr, Augusta; Cyr, Fort Kent; Davis, Westbrook; Desmarais, Dostie, Doyle, Dudley, Dufour, Dumais, Earles, Edwards, Raymond; Emmons, Frazier, Gallant, Healy, Hendricks, Hendsbee, Hilton, Jacques, Jalbert, Johnson, Karkos, Kellam, Kilroy, Knight, Lancaster, Lane, Lantagne, Lemelin, Letourneau, Lowery, Miller, Nadeau, Pert, Pike, Pitts, Plante, Porell, Prue, Rankin, Reed, Rowe, Madawaska; Sanborn, Saunders, Storm, Tardiff, Wade, Walls, Walsh, Warren.

NAY — Bacon, Baker, Baxter, Brockway, Brown, Bangor; Brown, Cape Elizabeth; Call, Carter, Carville, Caswell, Chapman, Gardiner; Chapman, Norway; Choate, Christie, Clark, Cousins, Cox, Crockett, Curtis, Dean, Dennett, Dennison, Dodge, Dumaine, Dunn, Ederly, Edwards, Stockton Springs; Ervin, Good, Hancock, Hanson, Bradford; Hanson, Lebanon; Hardy, Harrington, Harris, Haughn, Heald, Hobbs,

Hodgkins, Hughes, Hutchinson, Jewell, Jewett, Kennedy, Knapp, Linnell, Mathews, Mathieson, Mayo, Monroe, Morse, Parsons, Perry, Easton; Philbrick, Rollins, Rowe, Limerick; Smith, Exeter; Smith, Falmouth; Stanley, Treworgy, Trumbull, Turner, Walter, Wheaton, Whiting, Whitman, Winchenpaw, Young.

ABSENT — Berman, Danes, Davis, Calais; Dow, Edmunds, Graves, Kinch, Lacharite, Lebel, Lindsay, Maddox, Moore, Perry, Hampden; Russell, Weston, Williams.

EXCUSED — Maxwell.

Yes 63, No 68, Absent 16, Excused 1.

The SPEAKER: Sixty-three having voted in the affirmative, sixty-eight in the negative, sixteen absent and one excused, the motion to indefinitely postpone does not prevail.

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

Mr. BRIGGS: Mr. Speaker, I would like to ask permission of this body to have this bill tabled for later in the day, in order to have an amendment drawn up.

The SPEAKER: The gentleman from Portland, Mr. Briggs, moves that this Bill be tabled and specially assigned for later in today's session pending the adoption of House Amendment "A". Will all those who favor the tabling motion please say aye; those opposed, no.

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

The SPEAKER: The pending question now is on the adoption of House Amendment "A". Will all those who favor the adoption of House Amendment "A" please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

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

Thereupon, on motion of Mr. Wade of Auburn,

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

After Recess  
2:30 P.M.

The House was called to order by the Speaker.

(Off Record Remarks)

**Passed to Be Enacted**

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

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.

Mr. Johnson of Stockholm presented the following Order out of order and moved its passage:

WHEREAS, the members of the House have learned that Mr. Prue of Ashland has just recently become a grandfather for the first time, a son having been born to his daughter having been named Peter John:

NOW THEREFORE BE IT ORDERED that the members hereby extend to Mr. Prue their heartiest congratulations on this happy occasion.

The Order received unanimous passage (Applause)

Mr. Call of Cumberland was granted unanimous consent to address the House.

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: This is a statement of facts. In 1941 the Eliot Water District was chartered by the Legislature under the Private and Special Laws. It now appears that if an extension is not granted by this Legislature the charter will expire and the District will be unable to continue negotiations with that portion of the Kittery Water District lying within the Town of Eliot. It further appears that if a bill is admitted to extend the charter of this District it will in no way affect the length of this session or delay its adjournment. Ladies and Gentlemen, this matter came to the attention of the selectmen of the Town of Eliot a week ago and it was a grave error of misjudgment on their part because they thought they had more time. We have already talked to the gentlemen of the Legal Affairs Committee, both the Chairmen of the other branch and the House, and they have given us permission. And now I would like to present a bill with your sympathy and mine too.

The SPEAKER: The Chair understands that the gentleman from Cumberland, Mr. Call requests unanimous consent to introduce a bill notwithstanding the cloture order. The Clerk will read the title of the bill.

The CLERK: Bill "An Act to Extend the Charter of the Eliot Water District."

The SPEAKER: Does the Chair hear objection to the admission of this bill notwithstanding the cloture order?

The Chair hears none and the bill is admitted.

Thereupon, on motion of Mr. Call of Cumberland, the Bill was given its first and second readings without reference to any Committee.

On further motion of the same gentleman, under suspension of the rules, the Bill was given its third reading.

Thereupon, Bill "An Act to Extend the Charter of the Eliot Water District," House Paper 975, was passed to be engrossed and sent to the Senate.

The following paper from the Senate, appearing on House Supplement No. 1, was taken up out of order and under suspension of the rules:

**Non-Concurrent Matter  
Tabled**

Bill "An Act relating to Sales Tax on Motor Vehicles Traded In" (H. P. 179) (L. D. 250) which was passed to be engrossed in the House on May 27.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. WADE: Mr. Speaker, in order that this important tax measure may continue to be available to us, I now move that it lie on the table unassigned.

The SPEAKER: The gentleman from Auburn, Mr. Wade, moves that the bill be tabled unassigned pending further consideration.

The Chair recognizes the gentleman from Bridgton, Mr. Haughn, but must remind the gentleman that a tabling motion is not debatable.

Mr. HAUGHN: Mr. Speaker, I realize that but I arise to request a division when the vote is taken.

The SPEAKER: A division has been requested. Will all those who favor the motion to table please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-nine having voted in the affirmative and twenty-three having voted in the negative, the motion to table prevailed.

Mr. Wade of Auburn was granted unanimous consent that L. D. 1384, Bill "An Act to Appropriate Monies for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for Fiscal years Ending June 30, 1960 and June 30, 1961 and Authorize a General Fund Bond Issue in the Amount of Six Million Dollars," be sent forthwith to the Senate.

On motion of the gentleman from Auburn, Mr. Wade, the House voted to take from the table the second tabled and unassigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Taxation on Bill "An Act Increasing Sales Tax," House Paper 867, Legislative Document 1235, tabled on May 8 by that gentleman pending acceptance of either report.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker, when this bill was put in back in the early part of the session, as far as we could see our financial requirements added up to somewhere around fifteen million dollars, fourteen and a half-million dollars that is, ten million dollars for capital construction and four and one-half million dollars for the supplemental budget. The increase in the sales tax from three to four per cent would have raised fifteen million dollars in the biennium and thereby covered our needs without the necessity of a bond issue and without the necessity of other taxes. It now appears that the fiscal position of the State has changed and that there is very likely that in no event will we need as much as fifteen

million dollars, and therefore this tax would raise too much money and therefore I would like to move the acceptance of the Majority "Ought not to pass" Report.

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

On motion of the gentleman from Auburn, Mr. Wade, the House voted to take from the table the first tabled and unassigned matter, House Divided Report, Majority "Ought to pass" in New Draft, House Paper 962, Legislative Document 1364, and Minority "Ought not to pass" of the Committee on Taxation on Bill "An Act relating to Tax on Transient Rentals," House Paper 126, Legislative Document 180, tabled on May 8 by that gentleman pending acceptance of either report.

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

Mr. FRAZIER: Mr. Speaker and Ladies and Gentlemen of the House: I didn't realize this bill was coming off the table today but I do want to state my position concerning it. I am one of those in the House, whether or not it is minority or majority seems to be debatable at this time, who do feel that a tax at this session is going to be necessary. With the capital construction bond issue which we have this morning using most of the surplus, it would appear to me that specifically for the purposes of our general purpose aid to education which I feel has been a promise by past legislators to the towns within the State of Maine that we must have some sort of a tax to provide that money for our school systems. Consequently, I am in favor of this particular one, and I am in favor of it for different reasons. One being that I feel it will not be a heavy burden on the State of Maine or the people of the State of Maine. Another being that I feel the traveling public today expects to pay a sales tax on their rooms. It is paid in several cities and in several states. I therefore move that this bill receive passage.

The SPEAKER: Did the Chair understand the gentleman from Lee to move the acceptance of the Majority "Ought to pass" Report?

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

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House: The research and statistics department of the Federal Reserve Bank of Boston has reported that the State of Maine attracted its greatest percentage of guests from within the boundaries of New England. More than half of these New England guests hailed from Massachusetts. If this bill were enacted, we would be the first state in New England and the only state in New England to adopt a rental tax.

I would like to read a quote on how individuals from Massachusetts feel about such a tax, and I am now quoting from an article written by Leavitt F. Morris, and I quote: "There will be no rental tax on hotel rooms in Massachusetts." This was the virtual assurance given by members of the Massachusetts Hotel Association at their monthly meeting at the Sheraton-Plaza this week by John E. Powers, President of the Massachusetts Senate. Mr. Powers said, and I quote: "So long as I am President of the Senate if any such bill to tax hotel rooms in the Commonwealth comes to our branch of the legislature, I will put it in my pocket and the bill will never be heard of again." What Mr. Powers actually said was that he was certain there would be enough opposition from the members of the Massachusetts Legislature to kill any such measure. Now the people of Massachusetts of which we get half of our clientele are not adjusted to this tax.

In addition to this, and this surprised me, because I thought that we were the leading state in New England as far as our position to attract Canadian clientele, the report from the Federal Reserve Bank of Boston further stated in addition, Maine was in third place in the number of people it attracts from eastern Canada. Also no Canadian province of which we are competing with or Canadian city has a rental tax. Therefore, the Canadian customers that come here to Maine are not adjusted to this tax.

I sincerely believe such a tax to be the final confession of an almost

complete irresponsibility on the part of its supporters. The withdrawal of whatever recreational industry Maine once had, or any industry, has undoubtedly been aided by unwise legislation over the years. We have had, on the other hand, a certain sense of reliance on our "vacationland" economy. It is disheartening, then, to find that even this precarious living is now in jeopardy.

I really cannot understand how this measure can have any serious support from anybody when he considers the stiff competitive market that is existing in resort areas today.

Maine is competing with these other New England states and several Canadian provinces in this tourist business. We would place ourselves in an unwise and unfavorable position if we were to become the only state in the previously mentioned competitive area to impose our tourists an additional tax. This is in addition to the present tax we are paying on tangible personal property and in addition to the high gasoline tax which we charge them.

I wish to emphasize that this document, L. D. 1364, would lead the State into a new tax field. The act would tax services rather than tangible personal property. A new switch of this nature should not take place in lieu of the proposed tax study which has met with a great deal of bi-partisan support thus far.

Ladies and gentlemen, I really hope that you will try to prevent what will eventually prove to be a coup de grace to the entire Maine recreational economy. Accordingly I move that this bill and all of its accompanying papers be indefinitely postponed and when the vote is taken I request a roll call vote.

The SPEAKER: The Chair understands the gentleman from Old Orchard Beach to move that both reports be indefinitely postponed, and the gentleman requests a roll call.

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

Mr. GOOD: Mr. Speaker, Ladies and Gentlemen of the House: I have had quite a lot of opposition to

the passage of this bill. Those engaged in the recreational industry in this particular state are definitely opposed to the passage of this piece of legislation, and I feel that it would be detrimental to that particular industry and detrimental to the economy of this state since a great deal of our economy depends upon this business which only has approximately nine weeks within which to operate during the summer time, and I think that we should do everything we possibly can to foster and perpetuate and help our summer business rather than to handicap it. I have here a telegram which reads as follows: "The directors of the Sebago Long Lakes Region Association representing over three hundred members met last night and voted unanimously to oppose the three per cent tax on transient rooms by contacting all senators and representatives who represent the eight towns of Harrison, Naples, Bridgton, Casco, Raymond, Windham, Standish, and Sebago. We strongly oppose another tax on the transient and vacationists who are already taxed at every turn and who contribute so much to the economy of the state." I believe that the passage of this bill would put our vacation industry in an unfavorable position with our competing states. I called the tax division today and I find that checking New Hampshire, Vermont and Massachusetts none of those states have this sort of a tax. The gasoline tax in the State of Maine is seven cents, New Hampshire is six, Vermont is six and a half, Massachusetts five and a half. You might say that this tax is not going to keep anybody out of the state, but I believe that it will. People can pass through the State of Maine very easily on to Canada during one particular day on the super highways that we now have. Furthermore, this proposal is a departure from the original concept of the sales tax law. I have here a copy of the sales and use tax law and regulations effective August 28, 1957, in which it gives us a definition of a retail sale and here is what a retail sale is: A retail sale or sale at retail means any sale of tangible personal property in the ordinary course of business. In other

words as the law reads today when you go down and you buy an automobile, you buy a piece of furniture, you buy clothing, you buy linens, you pay your money and then on top of that you pay a sales tax. That is what the law is today. You are paying a title to a certain particular item. You are able to take that home with you. Now a rental, you don't get title to anything on a rental and you have nothing to take home with you. In other words we are going into now the taxing on a service. Therefore why not add a three per cent sales tax to the doctors' fees or the attorneys' fees or a three per cent tax on the amount that is charged by the hairdresser? Another reason why this tax is being opposed is the fact that it is a nuisance tax. You are for the first time breaking in if you wish to call them a new set of retailers who have never before had to collect a tax, so now they are going to have to get a sales tax number from Augusta. They are going to have to pay a fee for that sales tax number, for the privilege of collecting this tax. They are going to have to get forms from the State House. They are going to have to fill out new forms. They are going to have to collect the tax. They are going to have to make the returns to the state. Now as was pointed out here yesterday, we already have machinery which is established whereby additional taxes can be collected without bringing in a whole new group of retailers. There is a cigaret tax. The machinery is all set up for collecting of an additional cent on the cigaret tax if we need it. There is a wild land tax. That procedure is all set up, brings in no new taxpayers. The people in the summer business, their economy spreads through the rest of the state, there is no question about it, we all benefit from it. They only have nine weeks to operate. Here it is now May 28, 1959, the summer business has not started even as yet. It will be three or four more weeks before the summer business starts, and it will be all over at Labor Day. Are we going to penalize them for only the nine weeks that they have to operate? I hope that this House will

vote for the motion which is now before the House which is to indefinitely postpone this bill and both reports.

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

Mr. HENSBEE: Mr. Speaker, Members of the House: I feel that I must go along with my good friend, Mr. Good, in the indefinite postponement of this bill. I happen to be one who visits the maritime provinces so much during the summer. This will be the biggest boost that they ever received if we put this bill through. This might be the reason and the cause of us changing our number plates causing to read "taxationland" instead of "vacationland." You may be asked the question ladies and gentlemen what this legislative taxation bureau is, so have the answer ready and tell them it is a place where we keep the taxpayers' shirts.

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

Mr. LOWERY: Mr. Speaker, I wish to record my opposition to L. D. 1364, the transient rental tax. I believe this tax will have a detrimental effect on the vacation tourist industry which is already in a bad competitive position. I have had numerous complaints about this proposed tax, not only from my own district, but from many who are located in other areas of the state.

We, in Maine, have one of the highest gasoline taxes, a general sales tax and one of the highest cigaret taxes in the country. Are we to place a further tax upon the tourist whom we invite to the State? As one of my complainants wrote: "we surely need the vacation money in Maine but there must be a better way of getting it. Let's advertise and increase business so we can get more from our regular taxes."

You have all probably noticed that the Mid-Coast Route No. 1 Association, an organization deeply interested in the development of the vacation industry and with memberships from Yarmouth to Ellsworth, voted at its annual meeting recently held in Rockland, overwhelming opposition to this tax.

I can see a headline "Maine to tax tourists" on the vacation page of every out-of-state newspaper should we make the mistake of passing this bill. The headline would look particularly large compared to the present pitifully small advertisements our budget will permit. Such publicity would steer the visitors we seek away from the State of Maine. We cannot afford this tax, and I urgently request you to vote for indefinite postponement.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I feel as though I should vote and the majority of this House should vote for the indefinite postponement of this measure. I have only just a few comments to make and one being this. The sales tax in my opinion is a tax on a sale. This tax is a tax on services. We are now taxing if we pass this on services, and my second comment would be that it would be so inadequate for our needs. Thank you.

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

Mr. COUSINS: Mr. Speaker, Ladies and Gentlemen of the House: To give you some of the thinking of the Taxation Committee on this tax, as the representative from Pittsfield, Mr. Baxter, said yesterday, when we considered the taxes before the Committee we were forced by circumstances to consider them only on the basis of, are they or are they not a good tax? Not to consider them in relation to the fiscal policy of the state. We ended up reporting out favorably two major taxes, the trade-in tax and the transient rental tax. Our feeling in the transient rental tax was that while it admittedly is a departure from the present theory of the sales tax law in that it is a tax on services, it is a tax which would return a substantial sum of money, the estimates now are some \$3,000,000 for the biennium. Frankly my own feeling is that this is very, very, very conservative, and it would probably be closer to \$4,000,000 for the biennium. It is not a new tax in the tax field. For example, the

City of New York has a five per cent tax on transient rentals and were considering, and I don't know the progress of the legislation, an increase of that tax from five to ten per cent. Now the City of New York as you know is a convention city with many, many visitors and I don't think it can be said that their rental tax has scared business away. In that connection at the hearing, the border areas of the state both on the western and eastern borders protested strongly saying that a tax such as this would make for inequity between New Hampshire and Maine and between Canada and Maine, and that it would be disastrous to the Maine people if they had a three per cent tax on top of their normal rentals. The feeling of the Committee was that a tourist goes to accommodations not because there is or isn't a three per cent tax on the matter, but because the quality of the accommodations is such that he wants to stay there. We had a very graphic instance of one of the protestants at the committee hearing who has a large establishment very close to the New Hampshire border and who operates on the American plan charging a three per cent tax on his food and we had bills, we heard of bills, I actually did not see them, where he had been charging the three per cent tax on the entire rental, and he had not lost any business evidently from that. We did not feel that it would ruin the tourist interests. A three per cent tax would hardly seem to be one that would do that. We don't like taxes. We would much rather not have any taxes. This is one of the alternatives that you are going to have if you want a tax here in the State of Maine or if you need a tax to cover the services which are going to have to be provided, and the Committee felt with quite a large majority that this was a fair, good tax.

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

Mr. EMMONS: Mr. Speaker, this as two prior speakers have said is a tax on services and not a tax on a transfer of tangible personal property. We have heard many times that our tourist industry is pretty much the greatest industry in the

State of Maine and we are putting a tax on that industry when you do this. I know it is a very enticing tax because so many people have said: "Well, out-of-state people will pay it." Well, out-of-state people are paying part of our gas taxes, and I have heard that as a good argument for a gas tax. They are paying in part our sales tax, and I think if you put this tax on, you are to some extent endangering what if it is not the biggest industry in the State of Maine is at least the widest spread. I think you are to quite an extent tending to endanger your tourist industry by taxing them, and they very well know that one purpose of this is to get somebody else to shoulder our burdens. Now you can get other people to shoulder your burdens part of the time, but there comes a time when you have to shoulder your own burdens, and I think that in this matter of this transient rental tax, if we are going to have some taxes, we had better shoulder our own burdens rather than try to put it on somebody else.

Yesterday I heard people talk about how much the auto owner was already taxed. As a practical matter, this is another tax on the auto owner. I don't believe anybody walks to a motel to stay there. Practically everybody goes in a car, and this is certainly an additional tax on your auto owner. Now, you people who objected to that tax we were talking about yesterday on the trade-ins can't very well say well this is a good tax to put on the auto owner. Thank you.

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

Mr. RANKIN: Mr. Speaker, when the out-of-state visitor comes to Maine, we want him to stay here. We don't want him to go through in a single day, and he usually does stay here. He stays in a hotel, a motel, or in many instances a lodging house, a rooming house. Now, this here it seems will be a trying year as it is for those who operate hotels, motels and lodging houses. The majority passed the anti-discrimination bill and I voted with the majority because it was time for such a law to be enacted. However, if we were honest, to be

honest with ourselves we must realize it will require some adjustments among the hotels particularly. And then because it was time for a minimum wage, the majority voted for a minimum wage and I voted for the majority, and we know if we were honest with ourselves that among the hotels and motels, it will be necessary after this summer to make some adjustments, and now we are asking the hotel and motel industry to absorb one more adjustment. I don't think it is fair, I don't think it is good business, and I think it makes a mockery of the "vacationland" on our license plates.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: I rather think we are making quite an ado about something that is not too serious. Now some of our folks live on the Pacific coast and we try to get out to see them every two or three years, and we know if we are going out there it is going to cost between four and five hundred dollars to do the best you can. If we had plenty of money well it might cost us more. But in going out there, I recall that in some states I pay as low as sixteen cents for gas, and some as high as thirty-seven. Now when I come to that thirty-seven state, I don't turn around and come back home because it is going to cost me an extra dollar to fill the gas tank in tax. I find that in some places in some states where I stay, I pay anywhere from twenty-five to thirty, forty cents for transient tax. I don't turn around and come back home for twenty-five to thirty, forty cents, and sometimes I stay in that state two or three days if there is something I want to look about and I pay that forty cents or thirty cents whatever it amounts to. I think it is quite absurd that we have got to turn this down. Now, I am not going to vote for it, for this thing, because I don't think we need any tax, I am against any tax whatsoever, but it isn't any reason because of this absurd idea that tourists are going to turn around and drive back home without coming up to this fine State of Maine of ours

just because we are going to get twenty-five or thirty cents a day extra out of them.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker, I think it should be pointed out perhaps that this tax is not only on tourists. This is a tax on anybody that goes to a lodging and that includes the citizens of the State of Maine as well as traveling salesmen and other people. In other words, it is not specifically on tourists. Yesterday in connection with the auto trade-in tax I said that I would vote against it for one particular reason, and that was because I did not approve of writing a blank check before we knew what we needed for money, and although I am favorably disposed towards this tax, I will vote against it today and hope that later on if it experiences the same fate as the car tax in which it has a dry run and then back up on the table that after our spending picture has cleared up that I can then select the tax or taxes which I think best fit the financial requirements at the time.

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

Mr. SAUNDERS: Mr. Speaker and Members of the House: Maine today is reaching a point where before too long we are going to be one of the larger major ski areas in the east. New Hampshire and Vermont have held that for many years. Right now we have two large major ski areas in Maine, and we have two more which I feel quite sure will be in operation next winter, and there are several others which are already in process and being planned. If we should add a three per cent tax on these people we are hurting our chances for developing our recreation and skiing business. Maine needs this business and surely we don't want to add a tax which will stop any of that recreation or skiing industry coming into the State of Maine. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Old Orchard Beach, Mr. Plante, that both Reports be indefinitely postponed on

Bill "An Act relating to Tax on Transient Rentals," House Paper 962, Legislative Document 1364, and the gentleman has requested a roll call. 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 present. Will those who desire 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 question on which you are about to vote is on the motion of the gentleman from Old Orchard Beach, Mr. Plante, that both Reports be indefinitely postponed. If you favor the indefinite postponement of both reports you will say "yes" when your name is called, if you oppose the indefinite postponement, 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, Carville, Caswell, Chapman, Norway; Choate, Christie, Clark, Cormier, Cote, Couture, Coyne, Curtis, Cyr, Augusta; Cyr, Fort Kent; Davis, Westbrook; Dean, Dennett, Dennison, Desmarais, Dodge, Dostie, Dudley, Dufour, Dumaine, Dumais, Dunn, Earles, Edgerly, Edwards, Raymond; Edwards, Stockton Springs; Emmons, Ervin, Gallant, Good, Graves, Hancock, Hanson, Lebanon; Harrington, Harris, Haughn, Healy, Hendricks, Hendsbee, Hobbs, Hutchinson, Jacques, Jalbert, Jewett, Johnson, Karkos, Kellam, Kennedy, Kilroy, Knapp, Knight, Lancaster, Lane, Lantagne, Lemelin, Letourneau, Linnell, Lowery, Mathews, Maxwell, Miller, Morse, Nadeau, Parsons, Pert, Philbrick, Pitts, Plante, Porell, Prue, Rankin, Reed, Rollins, Rowe, Madawaska; Saunders, Smith, Exeter; Smith, Falmouth; Storm, Tardiff, Treworgy, Trumbull, Turner, Wade, Walls, Walter, Warren, Wheaton, Whiting, Whitman.

NAY — Carter, Chapman, Gardiner; Cousins, Cox, Crockett, Ed-

munds, Frazier, Hanson, Bradford; Heald, Hilton, Hodgkins, Hughes, Jewell, Mathieson, Monroe, Perry, Easton; Pike, Sanborn, Stanley, Winchenpaw, Young.

ABSENT — Berman, Danes, Davis, Calais; Dow, Doyle, Hardy, Kinch, Lacharite, Lebel, Lindsay, Maddox, Mayo, Moore, Perry, Hampden; Rowe, Limerick; Russell, Walsh, Weston, Williams.

Yes 108, No 21, Absent 19.

The SPEAKER: One hundred and eight having voted in the affirmative, twenty-one in the negative, with nineteen absentees, the motion to indefinitely postpone both reports does prevail.

Sent up for concurrence.

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

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

On motion of the gentleman from Auburn, Mr. Wade, the House voted to take from the table the third tabled and unassigned matter, House Divided Report, Report "A" "Ought to pass" with Committee Amendment and Report "B" "Ought not to pass" of the Committee on Taxation on Bill "An Act Increasing State Property Taxes," House Paper 448, Legislative Document 654, tabled on May 8 by that gentleman pending acceptance of either report.

On motion of Mr. Cousins of Bangor, Report "B" "Ought not to pass" was accepted and sent up for concurrence.

On motion of the gentleman from Auburn, Mr. Wade, the House voted to take from the table the fourth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act Increasing Tax on Cigarettes," House Paper 78, Legislative Document 116, tabled on May 8 by that gentleman, pending acceptance of the Report.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kennebunk, Mr. Emmons.

Mr. EMMONS: Mr. Speaker and Members of the House: This is a tax which I certainly can advocate, it has my name on it perhaps by chance, but also because of inclination. I have heard a lot about taxes being discriminatory, particularly I have heard that this is discriminatory because it would tax a relatively small group. Considering the tremendous increase in the consumption of cigarettes in the past four or five years and the fact that they are pretty generally used by both sexes, I would say that it is not a very small group. I would doubt also very much if an increase in the tax on this commodity would in any way diminish the total quantity sold, so that you can pretty well count on getting the estimated additional return. Certainly no one can say that cigarettes do us any good, and certainly except for the difficulty of breaking a habit, no one is compelled to smoke cigarettes. It is their choice, if they wish to smoke cigarettes, they can pay that additional tax. With a variation in price of cigarette packages anywhere from twenty-six cents to thirty cents an additional cent certainly should not enable the dealer to increase his price, at least certainly not those who now are selling cigarettes at thirty cents a pack. They would almost have to absorb that particular tax.

At the time of the hearing as I afterwards pointed out to some of the gentlemen who attended, there was only one advocate, one proponent, who spoke about five minutes, and somewhat to my surprise it took the opponents another hour and a half to combat that very able five-minute presentation. I think that this is a tax that we could accept that is a tax in a sense on a luxury, certainly it would do nothing to decrease the quantity sold, although I have suggested it could be a health measure. I therefore now move that we substitute the Bill for the Report.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Kennebunk, Mr. Emmons that the bill be substituted for the Report. The

Chair recognizes the gentleman from Greenville, Mr. Harris.

Mr. HARRIS: Mr. Speaker, I rise in opposition to this tax. We have been hearing about the fellow trading his car pays tax enough, gasoline taxes are high enough, we don't have to have a car to run around as much as we do, we don't have to smoke cigarettes that is true, but I think anything can be taxed to death, and it probably might not make a great deal of difference in the sale, but why ride anything to death and keep adding taxes onto it? It is pretty near a necessity with some people now. If you don't think so, try to stop smoking after you have smoked for forty years the same as I have.

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

Mr. DUDLEY: Mr. Speaker, I arise in opposition to this tax, and I have just a few very short comments, I don't intend to keep you here all the afternoon, and one of this is just this, I don't smoke, never have and I don't know of any member of my immediate family that does, and this is one of the reasons I think it is unjust and I think that cancer research has been a plague enough on the cigarette industry without this Legislature being a further plague and the price of cigarettes in New Hampshire and our neighboring states is also much cheaper at the present time, so for these reasons I hope that this bill doesn't receive passage.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker and Members of the House: I suppose I can see quite easily why this a good tax on the very interesting theory propounded a few minutes ago that all new taxes ought to be placed on those things and people that are already paying them heavily. Cigarettes are about as heavily taxed as anything in proportion, and I suppose I am probably about as heavy a consumer, therefore as heavy a taxpayer as anybody. I think you are probably right that this is a thing of very inelastic consumption. In spite of all the stories there is some truth in them about the connection between smoking and cancer, and in spite

of all the increase in cost, more people smoke more cigarettes. I wish they didn't but I don't think you are going to put me or anybody else out of the habit by increasing the tax. It will bring in the money. I am against it on principle but on that theory that if you have got the fellow all backed into a corner and braced for a straight left, the cigarettes can take another cent.

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

Mr. CALL: Mr. Speaker, Ladies and Gentlemen of the House: This is one of the few committee hearings that I had the privilege of attending being so busy in other places, but if I remember correctly this was a majority ought not to pass report, and I think there was at least seventy to eighty there, and there was just one proponent to the measure, and there was about fifteen I presume that spoke against this bill and then on a standing vote in opposition and count to save time there was at least sixty. I now ask the indefinite postponement of the bill and all its papers.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Cumberland, Mr. Call, that this bill and all its accompanying papers be indefinitely postponed.

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

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

The SPEAKER pro tem: A division has been requested. The Chair recognizes the gentleman from Kennebunk, Mr. Emmons.

Mr. EMMONS: Mr. Speaker, briefly I will agree with Mr. Call that there were probably sixty who stood up against this tax. When I walked into the room I could look around and spot all the opponents, there wasn't any question, people all along the border, and that's my county, were there in force because they were afraid of losing business between Kittery and Portsmouth and the other towns along the border. More than anything else I arose to ask that on this tax we have a roll call, I hope you will go along

with me. We have had roll calls on three major taxes, and this is a major tax in the amount that would be possible and I request a roll call.

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

Mr. HAUGHN: Mr. Speaker and Ladies and Gentleman of the House: This is one time that I am happy to support a tax measure. Very rarely I do, but this is one that I am deeply concerned with. You talk about an increase of a penny. The State of New Hampshire is on the verge and has given authority to the Governor in his program to increase the cigarettes one cent per package. The State of Massachusetts last year increased theirs one cent per package. It did not increase their business, but it did bring an increase in the returns of the revenue to the State, and even though a Committee Report may come out such as it did, it has been the trend of this House to take the merits of a bill and consider them with all due respect to the Committee hearing those bills because sometimes we have been so busy tied up with other committees we didn't have a chance to appear either as an opponent or proponent at those hearings, and I have all the respect for the Committee in their wisdom bringing in the report on the evidence submitted to them at that hearing, and I probably feel, in fact I know I do that they were just probably in their decision which they brought back to us, but there was not a sufficient enough number of our legislators or people who were deeply concerned with the taxation problem in the State to be present at the hearing at that time. So I sincerely hope that this House will go along and support the motion—to defeat the motion before us of indefinite postponement and support the motion that will come after of the motion of the gentleman from Kennebunk, Mr. Emmons, to substitute the bill for the report.

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

A roll call vote has been requested. In order for the Chair to order a roll call the Chair must have the expression of a desire for a

roll call on the part of at least one-fifth of all the members present. 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 pro tem: More than one fifth having arisen, a roll call is ordered. The question before the House is the motion of the gentleman from Cumberland, Mr. Call, that Bill "An Act Increasing Tax on Cigarettes," House Paper 78, Legislative Document 116, and all accompanying papers be indefinitely postponed. If you favor the motion to indefinitely postpone you will answer "yes" when your name is called, if you are opposed to the motion, you will answer "no". The Clerk will call the roll.

#### ROLL CALL

YEA — Aliberti, Bacon, Baker, Barnett, Baxter, Beane, Boone, Bragdon, Briggs, Brockway, Brown, Cape Elizabeth; Brown, Ellsworth; Cahill, Call, Caron, Carville, Caswell, Chapman, Gardiner; Chapman, Norway; Choate, Christie, Clark, Cormier, Cote, Cousins, Couture, Coyne, Crockett, Curtis, Cyr, Augusta; Cyr, Fort Kent; Davis, Westbrook; Dean, Dennett, Dennison, Desmarais, Dostie, Dudley, Dufour, Dumaine, Dumais, Dunn, Earles, Edgerly, Edwards, Raymond; Edwards, Stockton Springs; Ervin, Frazier, Gallant, Graves, Hancock, Hanson, Lebanon; Harrington, Harris, Heald, Healy, Hendricks, Hendsbee, Hobbs, Hutchinson, Jacques, Jalbert, Jewett, Johnson, Karkos, Kellam, Kennedy, Kilroy, Knapp, Lancaster, Lane, Lantagne, Lemelin, Letourneau, Linnell, Lowery, Mathews, Maxwell, Miller, Monroe, Nadeau, Parsons, Pert, Philbrick, Pitts, Plante, Porell, Prue, Rankin, Reed, Rollins, Rowe, Madawaska; Saunders, Smith, Exeter; Smith, Falmouth; Storm, Tardiff, Treworgy, Trumbull, Turner, Wade, Walls, Walter, Warren, Wheaton, Whiting, Whitman, Young.

NAY—Brown, Bangor; Carter, Cox, Dodge, Emmons, Good, Hanson, Bradford; Hardy, Haughn, Hilton, Hodgkins, Hughes, Jewell, Knight, Mathieson, Morse, Perry, Easton; Pike, Stanley, Winchenpaw.

ABSENT—Berman Danes, Davis, Calais; Dow, Doyle, Edmunds, Kinch, Lacharite, Lebel, Lindsay, Maddox, Mayo, Moore, Perry, Hampden; Rowe, Limerick; Russell, Sanborn, Walsh, Weston, Williams.

Yes 108, No 20, Absent 20.

The SPEAKER pro tem: One hundred eight having voted in the affirmative, twenty having voted in the negative with twenty absentees, the motion to indefinitely postpone does prevail.

Sent up for concurrence.

At this point, Speaker Edgar returned to the rostrum.

The SPEAKER: The Chair would thank the gentleman from Fort Fairfield, Mr. Edmunds, for his services as Speaker pro tem.

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

The following paper from the Senate was taken up out of order and under suspension of the rules.

#### Non-Concurrent Matter

Bill "An Act to Appropriate Monies for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for Fiscal Years Ending June 30, 1960 and June 30, 1961 and Authorize a General Fund Bond Issue in the Amount of Six Million Dollars" (H. P. 973) (L. D. 1384) which was passed to be engrossed as amended by House Amendment "A" in the House earlier in the day.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker, I move that the House recede and concur.

The SPEAKER: The Gentleman from Lubec, Mr. Pike, moves that the House recede and concur.

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

Mrs. SMITH: Mr. Speaker, I request a roll call.

The SPEAKER: A roll call has been requested. In order for the Chair to order a roll call, the Chair must have the expression of a desire for a roll call on the part of one-fifth of the members present. 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 will state the question. The question before the House is the motion of the gentleman from Lubec, Mr. Pike, that the House recede and concur. If you favor the motion to recede and concur you will say "yes" when your name is called, if you oppose the motion to recede and concur, you will say "no." The Clerk will call the roll.

#### ROLL CALL

YEA — Aliberti, Barnett, Beane, Boone, Bragdon, Briggs, Brown, Ellsworth; Cahill, Caron, Cormier, Coyne, Cyr, Augusta; Cyr, Fort Kent; Davis, Westbrook; Desmarais, Dostie, Dudley, Dufour, Dumais, Earles, Edwards, Raymond; Emons, Frazier, Gallant, Healy, Hendricks, Hendsbee, Hilton, Hobbs, Jacques, Jalbert, Johnson, Karkos, Kellam, Kilroy, Knight, Lancaster, Lane, Lantagne, Lemelin, Letourneau, Lowery, Maxwell, Miller, Morse, Nadeau, Pert, Pike, Pitts, Plante, Porell, Prue, Rankin, Reed, Rowe, Madawaska; Saunders, Storm, Wade, Walls, Warren, Whiting.

NAY — Bacon, Baker, Baxter, Brockway, Brown, Bangor; Brown, Cape Elizabeth; Call, Carter, Carville, Chapman, Gardiner; Chapman, Norway; Choate, Christie Clark, Cousins, Cox, Crockett, Curtis, Dean, Dennett, Dennison, Dodge, Dumaine, Dunn, Edgerly, Edmunds, Edwards, Stockton Springs; Ervin, Good, Graves, Hancock, Hanson, Bradford; Hanson, Lebanon; Hardy, Harrington, Harris, Haughn, Heald, Hodgkins, Hughes, Hutchinson, Jewell, Jewett, Kennedy, Knapp, Linnell, Mathews, Mathieson, Monroe, Parsons, Perry, Easton; Philbrick, Rollins, Smith, Exeter; Smith, Falmonth; Stanley, Treworgy, Trumbull, Turner; Wheaton, Whitman, Winchenpaw, Young.

ABSENT — Berman, Caswell, Cote, Couture, Danes, Davis, Calais; Dow, Doyle, Kinch, Lacharite, Lebel, Lindsay, Maddox, Mayo, Moore, Perry, Hampden; Rowe, Limerick; Russell, Sanborn, Tardiff, Walsh, Walter, Weston, Williams.

Yes 61, No. 64, Absent 24.

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

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

The SPEAKER: The Chair must advise the gentleman that by rule the members cannot leave their seats until the vote has been announced.

Mr. JALBERT: Can one change his vote and have it effective before you announce —

The SPEAKER: Does the gentleman wish to change his vote?

Mr. JALBERT: Well, the reason I want to approach the rostrum hinges on whether I want to change my vote or not.

The SPEAKER: The Chair must rule that the gentleman may not leave his seat until the vote has been announced.

Mr. JALBERT: Mr. Speaker, I wish to change my vote from "yes" to "no".

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, wishes to change his vote from "yes" to "no".

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

Mr. JALBERT: Mr. Speaker, I wish to change my vote from "no" to "yes".

The SPEAKER: The Chair will instruct the Clerk to change the vote of the gentleman from Lewiston, Mr. Jalbert, from "no" to "yes".

Sixty-one having voted in the affirmative, sixty-three in the negative with twenty-four absentees, the motion to recede and concur does not prevail.

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

Mr. STANLEY: Mr. Speaker, I move that we insist and ask for a Committee of Conference.

The SPEAKER: The gentleman from Bangor, Mr. Stanley, moves that the House insist and request a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: Would the gentleman from Bangor, Mr. Stanley, approach the rostrum please?

(Conference at rostrum)

The SPEAKER: On the disagreeing action of the two branches of the Legislature on L. D. 1384, the Chair will appoint on the part of the House as the Conferees on the Committee of Conference, the gentleman from Bangor, Mr. Stanley, the gentleman from South Portland, Mr. Linnell, and the gentleman from Orono, Mr. Treworgy.

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

Mr. STANLEY: Mr. Speaker, I move that this be sent forthwith to the Senate.

The SPEAKER: The gentleman from Bangor, Mr. Stanley, requests unanimous consent that this now be sent forthwith to the Senate. Is there objection? The Chair does hear objection and the request is denied.

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On motion of Mr. Wade of Auburn,

Adjourned until nine o'clock tomorrow morning.